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TRIAL

OF

REV. J. R. GRAVES.

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TRIAL OF REV. J. R. GRAVES,

BEFORE THE

FIRST BAPTIST CHURCH,

OF NASHVILLE.

NASHVILLE, Sept. 8, 1858.

At the regular monthly meeting of the First Baptist Church, held this evening, after the transaction of several items of business, a paper was presented by brother Charles A. Fuller for the consideration of the Church, which was read as follows:

We, the undersigned, members of the First Baptist Church, Nashville, Tennessee, charge Rev. J. R. Graves, a member of said church, and one of the Editors of the *Tennessee Baptist*, with grossly immoral and unchristian conduct, in four distinct cases, as follows:

First, in that he has sought to bring upon R. B. C. Howell, the Pastor of said church, reproach and injury, and thus to destroy his character and influence in the Southwest, by forcing him into collision with Rev. A. C. Dayton, late Corresponding Secretary of the Bible Board, and now one of his associate editors, through the publication in his said paper of various false and malicious representations.

Secondly, in that he has endeavored to distract and divide said church, by means of a conflict between its pastor and four of its deacons, and several others of its influential members, which he has labored to produce by various inflammatory articles, published in his paper.

Thirdly, in that he has uttered and published in his said paper against R. B. C. Howell, the pastor of this church, sundry foul and atrocious libels.

Fourthly, in that he has, at various times, attacked, slandered and abused ministers and brethren of high character, belonging to our denomination, throughout the country, in his said paper.

J. C. DARDEN,
CHARLES A. FULLER.

CASE 1. Under the first charge, we refer to "The Southern Baptist Register," for 1858; to the "Tennessee Baptist," No. 23, Feb. 13, 1858, and No. 24, Feb. 20 1858, and No. — July 17, 1858.

CASE 2. Under the second charge, we refer to the "Christian Index," No. —, April 28, 1858, and to the "Tennessee Baptist" of the following numbers and dates; No. 23, Feb. 13, 1858; No. 26, March 6, 1858; No. 33, April 24, 1858; No. 24, Feb. 20, 1858.

CASE 3. Under the third charge, we refer to the "Tennessee Baptist" of the following numbers and dates: No. 24, Feb. 20, 1858; No. 26, March 6, 1858; No. 23, Feb. 13, 1858; No. 25, Feb. 27, 1858; No. 29, March, 27, 1858; No. 30, April

3, 1858; No. 31, April 10, 1858, No. 32, April 17, 1858.

We make incidental reference to the following:

"Tennessee Baptist," No. 23, April 13, 1858; No. 24, Feb. 20, 1858; No. 45, July 17, 1858; No. 49, August 21, 1858; a note addressed to Mr. Graves dated April 3, 1858; correspondence between C. K. Winston and C. A. Fuller, and J. R. Graves, H. G. Scovel, and G. C. Creighton.

CASE 4. Under the 4th charge, reference is made to the conduct of his paper generally for some years past. See the articles with regard to R. Fuller, in 1853; to W. C. Duncan of New Orleans; to W. W. Everts; to J. P. Tustin; to John L. Waller; to J. E. Dawson; to Matt. Hillsman, and to the Bible Board.

Having heard read the aforesaid paper, a motion to lay the same upon the table was lost; whereupon the following resolutions, offered by Bro. A. Nelson, were passed:

Resolved, That the charges against Rev. J. R. Graves be entertained, and they be set for hearing on the 21st of September, at 7½ o'clock in the evening.

Resolved, That Rev. J. R. Graves be furnished with a copy of the charges, and be summoned to attend.

On motion, adjourned till 21st Sept.

TUESDAY EVENING, Sept. 21, 1858.

Church met according to adjournment, and the meeting was opened with singing and reading the 67th Psalm. Prayer by Dr. S. D. Whitsett.

The Pastor of the Church having suggested the impropriety of his acting as Moderator, under existing circumstances, Dr. C. K. Winston was called to the chair, to preside during the pendency of the trial of Rev. J. R. Graves.

The minutes of former meetings were read and approved, when the Moderator announced the meeting ready to proceed to business. Rev. J. R. Graves not being present, the trial was postponed three weeks, (to Oct. 12th,) and the Clerk *pro tem.* instructed to communicate to Brother Graves this action of the Church.

Dr. W. P. Jones then offered a paper for the consideration of the Church, which reads as follows:

Inasmuch as individual members of this congregation, and the Church collectively, seem peculiarly liable to be misrepresented; inasmuch as we desire in all things to be circumspect, and in so far as we can to avoid strife, and to arrive only at facts in the progress of the investigation upon which we have now entered; and inasmuch as we recognize the divine authority of that commandment, "Let all things be done decently and in order;" therefore,

Resolved, That as a matter of common justice, equality and safety to all, we employ an approved reporter, whose duty it shall be to report fully, fairly and impartially, the testimony adduced by either party to this trial.

Resolved, That the reporter shall keep in their order all resolutions, etc., with as much fidelity as practicable to the language of the speaker; shall take full notes of all the speeches or remarks which may be made by any one on either side of this controversy, or in anywise pertaining thereto.

Resolved, That these reports, as approved, endorsed or passed by the Church Clerk, be read (as the usual matters of business) at each subsequent meeting of the Church, and when thus publicly corrected, in accordance with the known facts, that they become a part of the permanent records of this body, subject only to its order.

On motion, the foregoing preamble and resolutions were adopted, and Dr. W. P Jones, A. Nelson, Dr. J. D. Winston, and E. F. P. Pool, were appointed a committee to procure a reporter.

After the transaction of other business, the Church adjourned.

At the regular monthly meeting of the Church, held Oct. 6th, the committee appointed to procure a reporter, submitted the following report, to wit:

We, the committee appointed to secure

the services of a reporter or reporters, in the case of charges preferred by C. A. Fuller and J. C. Darden against Elder J. R. Graves, met at the office of Dr. Winston; present Dr. W. P. Jones, A. Nelson, and E. F. P. Pool, when it was agreed that A. Nelson and E. F. P. Pool, should see Mr. J. M. McKee, of the Union & American office, and Mr. H. K. Walker, of the Banner.

We saw Mr. McKee, who informed us that he would undertake to report the proceedings on Tuesday night next, and for his services he would take a fair compensation for the labor performed.

We then saw Mr. Walker, who agreed to undertake it if he would be allowed to publish the reports in his paper. If not, he could not say, nor would he agree to act; as he said his main object would be to get it in the Banner.

A. Nelson,
E. F. P. Pool, } *Com.*

On motion, Mr. J. M. McKee was selected as the reporter, and L. Collins requested to act as assistant.

Adjourned.

Tuesday Evening, Oct. 12, 1858.

The Church met pursuant to adjournment.

The exercises were opened by reading a portion of Scripture, and prayer by the Moderator.

The Moderator then announced that the Church had met for the purpose of trying Elder J. R. Graves, upon charges preferred against him by members of the First Baptist Church, and the Clerk was directed to read the record of the proceedings had so far in the case, including the charges.

The record having been read, the Moderator stated that if any member had any objection to the same he would please to make it known.

No objection having been made, the record was declared approved.

The Clerk then read the following paper:

We, the undersigned, members of the First Baptist Church, Nashville, Tennessee, charge Rev. J. R. Graves, a member of said church, and one of the editors of the *Tennessee Baptist*, with grossly immoral and unchristian conduct, in that he has uttered and published in his said paper the following willful and deliberate falsehoods:

1. "We can, with a clear conscience, appeal to the Judge of all the earth, that we have not intentionally injured any man, and if we have unwittingly done so, we truly regret it and are willing to repair the injury."

2. "All that we could rightly do to effect a reconciliation, though the offended and assailed party, we have done."

3. "It will be seen that both the *lash* and the *law* have been threatened against one or all the editors of this paper."

4. "Reports have been put forth from this city and circulated in it, that the Senior Editor of this paper was a vile character, a dishonest man, and that frightful revelations would be made of his standing at home when the church trial came off. (Note) Elder Howell made this charge before he had been in the city nine months."

5. "What frightful crimes are we charged with? The most stupendous one is the leaving of the D. D. from the name of R. B. C. Howell in the Southern Baptist Register for 1858!"

6. "We are arraigned before the church for grossly immoral conduct and atrocious libel, &c., because we have left the D. D. off Elder Howell's name."

7. "One of the very prosecutors he [Howell] employs, C. A. Fuller, can threaten to cowhide Elder Dayton, not only in his office, but even in the hearing of the whole church, and not so much as a reproof is offered him."

8. "The other principal orator of the 21st September, [Dr. W. P. Jones,] is not only known to Elder Howell as a teacher of gross heresy in his class—teaching views calculated to overthrow one of the articles of faith of the First Baptist Church, a fundamental article of christianity and religion—but known also to Elder H. and the church, as the public defamer of Elder J. M. Pendleton; not only so, but he is permitted to defame Elder J. M. P. in the *church* meeting of the 21st, before Elder H.'s face, without receiving so much as a reproof from Elder H."

9. "Our readers will notice the closing period of Mr. Fuller's article. [I defer further remarks until a future opportunity, when A. C. Dayton shall have no occasion to say he has not reaped an ample reward for the vituperation in which he has of late so freely indulged.] It is singular language for a Christian gentleman to use towards a brother in the same church, and a brother Mason. Such threats of brute violence, which have been twice repeated—once to Brother Buchanan and once upon the floor of the church, in church meeting, reflect no credit upon either Mr. Fuller's *bravery* or his principles."

S. M. Scott.
A. Nelson.

It was moved and seconded that these charges be entertained by the church, which motion being submitted to the church, was adopted.

Thereupon the Moderator declared that the church had decided to entertain the charges preferred against Elder J. R. Graves by S. M. Scott and A. Nelson.

Mr. Fuller submitted a motion that the charges previously presented against Elder J. R. Graves, and set for hearing to-night, be now taken up and considered.

Which motion being submitted to the church, was concurred in.

Mr. Seovel wished it noted upon the record that he was opposed to trying Elder J. R. Graves upon the charges preferred against him in the manner in which these proceedings had been instituted.

The charges having been read by the Clerk,

The Moderator called on Elder Graves to state whether he admitted or denied the charges.

Elder Graves: I deny.

The Moderator: Then it will devolve upon the prosecution to establish the charges preferred against Elder Graves.

Elder Graves inquired whether he would be allowed to answer these charges preferred against him. He was accused of making libelous charges against his pastor, and he desired to meet and answer them.

The Moderator stated that, of course, he would be allowed ample opportunity to make his defense at the proper time, but that there was no motion before the church at present, and until a motion admitting of debate was submitted, Elder Graves could not be heard.

Elder Graves protested against this trial as being unscriptural, and appealed to the church to hear him in defense.

The Moderator stated that if Elder Graves desired to be heard by the church, a motion to non-suit the charges for informality, would bring the case up for consideration, when he could make any statement he desired.

Mr. Rutland submitted a motion that the charges preferred against Elder J. R. Graves be thrown out, because the scriptural usage in such proceeding had not been observed.

The Moderator declared this motion in order, and that Elder Graves could now be heard.

Elder Graves stated that he had something to say in regard to this trial, and that he might not be misrepresented, he had committed what he had to say to writing. He then read the following protest:

I received, upon my return home, a copy of the charges preferred against me, in my absence, by two members of this Church, in behalf of the pastor, (Elder R. B. C. Howell,) and several other private individuals, for alleged *personal* offences given in the course of my public journalism for the past five years. I might justly complain at being seized of an ecclesiastical arrest while in another State, intently prosecuting a great denominational enterprise; when the alleged offences had been of so long standing, and my residence here had given the parties the most ample opportunity for conference or arraignment—yet I will not complain, nor even inquire into the motive of this strange proceedure.

First of all, I desire that it shall be dis-

tinctly understood that I stand ready, now and ever, to meet any and all charges brought against me, either as a citizen or as a Christian. But as an American citizen, I have the right to be tried by the laws of my country, and no man can force me to be tried by any other. I might be lynched by a mob; but tried I could not be, except by the law of the land. As a Christian and a Baptist, it is not only my right, but my duty to be tried by the laws of Jesus Christ, the only Head of his Church. By the laws of Christ, found in the New Testament, I am ever ready to be tried. Let me be arraigned according to those laws, and by those I will most cheerfully be tried. I appear before this Church to demand a scriptural arraignment, and a fair and impartial trial for the offences alleged in the indictment, and if I can be convinced that I have *unwittingly* injured any one of these parties, (for *intentionally* I *know* I have not,) I am ready to make whatever satisfaction a Christian brother can make, or any one rightly demand. Duty to Christ, and love to my brother would impel me to do this; nor would it be to me a mortification, but a pleasure. But since these charges have been brought, and thus far entertained by the Church, not only without the sanction of the laws of Christ, but in direct and open disregard of their express requirements—I must, should I voluntarily submit to be tried upon this arraignment, regard myself as giving sanction to a proceeding which is in open violation of the commandment of Christ, and I therefore respectfully decline to answer to these charges as brought before you, and solemnly protest against your past proceedings in my case.

Were I as certain of being triumphantly acquitted under this process, as I am certain that I am innocent of having unnecessarily and intentionally given offence to any one, I would no less earnestly and solemnly, as a Christian, a Baptist, and a minister, bound by fealty to Christ alone, and witnessing for the dignity and authority of his word, protest in the name of the Lord Jesus Christ, against being made, in any sense, a party to such unlawful measures.

1. IN MY ARRAIGNMENT YOU HAVE BOTH DISREGARDED AND OPENLY VIOLATED, BEFORE THE EYES OF MEN, ALL THE LAW OF CHRIST.

Three of the four charges preferred are confessedly personal to the pastor of the Church. This was distinctly avowed by the pastor when at your meeting, on the 21st September, he declined acting as Moderator during the progress of this trial, and of this I have other proof under his own signature.

The law touching personal offences is most clear and explicit, and reads as follows:

"*Moreover, if thy brother shall trespass against thee, go and tell him his fault between thee and him alone: if he shall hear thee, thou hast gained thy brother. But if he will not hear thee, then take with thee one or two more, that in the mouth of two or three witnesses, every word may be established. And if he shall neglect to hear them, tell it unto the Church; but if he neglect to hear the Church, let him be unto thee as an heathen man, and a Publican.*"

Now, it must be evident to every unbiassed mind, that if the pastor was offended with me, it was his duty to come to me privately, and in the spirit of a brother, and tell me my fault between him and me alone, and seek reconciliation and reparation. If he found me obstinate and impenitent, he should have taken one or two other *brethren*, (*not my known and bitter enemies*,) but those who were known to have our *mutual* good at heart, whose testimony should be sufficient to convince me of my error, should they testify against me, and not until I had refused to hear them, should my pastor have told his offence to the Church, or have suffered it, with his consent, to be told to the Church. Now, if this Church, by its action, sustains the pastor in his open disregard of the plain letter of the law of Christ, by inducing or permitting other brethren to prosecute an offending brother for him without complying with these requisitions, then this Church decides that this law concerning personal offences may at any time be set aside by a similar subterfuge. If A. offends B., B. need only get C. or D. to prosecute A. before the Church for the offence.

The first step in the process of gospel discipline has not been taken in my case, nor has the second, and the prosecutor *de*

facto has persistently refused to take them, and until he does, the Church cannot in accordance with the law of Christ, entertain his charges; and not only so, but if he persists in refusing to regard them, it will be her duty to arraign him for an open violation of the Word of God.

Remand, then, this case, as it is your duty to do, and let my pastor seek a private interview with me, and if I fail to do my duty in the premises, "let my right hand forget its cunning;" and if a personal interview fails, let him come to me with one or two more brethren (our mutual friends) and if I neglect to hear them, "let my tongue cleave to the roof of my mouth;" if I am arraigned before my Church, when convened in the spirit and authority of the Lord Jesus, and the Church utters her voice, and I refuse to hear it, *then*, but not until *then*, let me "be unto you as a heathen man and a publican."

2. But I protest against these proceedings upon another ground: and that is, that they are calculated to make, and do make, a false representation of the facts in the case, inasmuch as they present me as the offending, whereas, I am in reality the offended party—as I am fully prepared to show.

As the offended party, I have endeavored to take the gospel steps, but I have been denied both a private interview and one with brethren. I have besought him to meet me in the spirit of Christ, assuring him that if I could be convinced that I had done him wrong, I would offer him the most ample satisfaction, but he has treated my overtures with the utmost contempt, and refused any interview with me. It was because I was encouraged to hope that a private adjustment possibly might be effected that I delayed my appeal to the Church for advice. It was while affairs were in this posture that I was called away, and during my absence this indictment was preferred against me through a third party.

3. I also protest against the right of this Church to try me upon the fourth charge: *Because this Church as yet has no possible jurisdiction over the matters charged.*

1. The charge has reference to alleged offences against sundry persons living and dead, mentioned in the specifications.

The matters charged, are, therefore, confessedly personal to those individuals, and must be brought to trial according to the law of Christ for personal offences. (Matt. 18: 15—17.) The directions of Christ have not been observed in any of these, and therefore, this Church cannot rightly entertain the charges against me.

2. Because this Church manifestly has no authority to prosecute it, (the fourth charge) under the circumstances as they exist, and if she does it, she does it contrary to all law human and divine. For,

The parties are not known to this Church as complainants. Many of them owe no jurisdiction to this Church. My acquittal would involve their condemnation and disgrace. What right then has the Church to investigate and pass upon their conduct without their knowledge or consent, and thus implicate their conduct or character before the world.

These foreign parties, Waller, Fuller, Duncan, Everts, Tustin, and Dawson, are either ignorant that a charge is preferred here that involves them, or they are knowing to it, and have authorized Messrs. Darden and Fuller to prosecute me on their behalf.

If they are ignorant of your doings, or have not authorized you thus to involve them, then have you already perpetrated a gross outrage upon their rights, and if you proceed may inflict an irremediable injury upon them, by passing upon their conduct in their absence without their having an opportunity to explain or defend. But if they have given their consent, then they are really parties concerned, and are bound with the pastor of this Church, to observe the laws of Christ as regards personal offences.

But I have the evidence, that several, if not a majority of the parties mentioned in the fourth charge, have not only not given their consent to this trial, nor desired it, but some of them were even ignorant of it until informed by myself, and express their surprise that Messrs. Darden and Fuller should undertake this prosecution for them.

I doubt if a charge of this character was ever before brought under such circumstances in any civilized land.

But even though I could have waived all these difficulties, and gained my consent to go into trial under these charges, yet there

is one circumstance which would render it impossible for me to make a right and true defence. I protest, therefore, in the third and last place against going into this trial on the ground that you have given me no such specifications as will enable me to know what is relied upon by my accusers for my conviction.

You have, indeed, referred me to the Southern Baptist Register for 1858, a work of sixty pages, but I do not suppose any one regards the whole document as grossly immoral and unchristian, and I have no means of knowing with any certainty of what part, or how many parts, Elder Howell complains. He has never told me. You refer me to sundry numbers of the *Tennessee Baptist*, but have left me in utter ignorance of what articles, or what sentences, are to be regarded as injurious, or libelous. If you had intended that I should have a fair trial you should have shown me the very words and sentences which were regarded as wrong, so that I might have come here prepared to prove their truth, or to explain them, if possible, so as to remove the offence.

It is the custom in the Romish Inquisition to put men on their trial without specifications of their offences, so that they may not be able to make good a defence, but "*we* have no such custom, neither the Churches of God."

For these and other reasons, I entreat you in the name of justice, nay, I charge you by the authority of the Lord Jesus, that you rescind your proceedings touching me, and require of those claiming to be offended with me, to observe the plain requirements of the Word of God, by taking the well known steps of gospel discipline—and that you will not attempt further to force me into a trial under such circumstances as these.

If, however, you persist in the course which has been followed thus far, and determine to proceed with an investigation, I dare not give my consent, and do hereby declare, that I will be no party, direct or indirect, to such unscriptural proceedings.

If you refuse to grant this protest, I ask as an act of justice to me, that you will allow it to be entered upon the records of this Church. Respectfully submitted,

J. R. GRAVES.

Dr. Howell stated that he was surprised to hear the paper just read by Mr. Graves. It devolved upon him to make an explanation in regard to the case before the church, which he would do in as few words as possible.

Mr. Graves, he said, protests against this trial as unscriptural and unjust, on several accounts, but mainly because, as he alleges, the previous scriptural steps had not been taken. He, (Dr. H.,) did not consider it in this light, or it would never have had his sanction. He knew well, and the fact would appear in the trial, that on his part the measures adopted had all been strictly scriptural. The charges against Mr. Graves were preferred not by him, as the gentleman alleged, but by brethren Fuller and Darden, who were members of this church in good standing, and fully able to maintain the ground they had assumed. It matters not who advised the course to be pursued; they were here to prosecute the charges they have preferred against Mr. Graves.

The relations that subsisted between Mr. Graves and himself were of a friendly character until a proposition was made in the Convention here to establish a Sunday School Board of Publication. He had taken a special interest in Mr. Graves, and done all he could to promote his welfare. He had advised Mr. Graves that his (Graves') honor demanded that he should not insist upon the appointment of this Board; that if he did, since he was a publisher, people would say that he did so from interested motives, though he, (Dr. Howell,) had taken particular pains to assure Mr. Graves that he himself did not charge any such motive. This, according to Mr. Graves, was the origin of this difficulty. It was then Mr. Graves' duty to have come to him, and to have demeaned himself as directed in the 18th chapter of Matthew. Instead of this, Mr. Graves

had assailed him, (Howell,) in a grossly personal and abusive manner through his newspaper, the Tennessee Baptist, and that too, for doing what he considered an act of kindness. The law of brotherly love, and governing as Mr. Graves claims, in this case, as laid down by Matthew, had not been observed by Mr. Graves, who professes to have been aggrieved by his, (Howell's) course, in regard to the creation of a Sunday School Board. Mr. Graves did not come to him and state his grievance, but assailed him violently in the Tennessee Baptist, week after week, for two months. Many of the proofs to sustain the charges against Mr. Graves, had been selected from his paper during that time, and these extracts show that the temper that was manifested from that quarter towards him was any thing but brotherly. If he had offended Mr. Graves, according to the doctrine of his protest, he should have come to him and expostulated with him as a brother.

When, after all this, Mr. Graves had taken a prominent part in a prayer meeting, in his, (Howell's,) absence, he had addressed a strictly private note to Mr. Graves, stating that this was offensive to members of the church, on account of his conduct towards him, and requesting him not to repeat it until he had withdrawn the charges he had made against him, (Howell,) as publicly as he had made them. This note, marked *strictly private*, Mr. Graves made it a point to show to as many as he could approach, and had published and spread broadcast over the whole South. Notwithstanding this, he, (Howell,) hoped, for various reasons, that it would not be necessary to bring his conduct before the church, and had waited three months to see whether a sense of duty would not prompt Mr. Graves to do him justice. Failing or refusing to do this, and still repeating his assaults in his paper, he, (Howell,) then wrote a note, and placed it in the hands of brethren, in the hope of bringing about a reconciliation. Mr. Graves appointed brethren on his part, thus recognizing the scriptural character of the proceeding up to the 20th day of July last. These brethren commenced their negotiations, which continued till the 16th day of August, thus lingering in this state in spite of every effort to accelerate it. When called upon, he, (Howell,) answered that he was ready to do whatever an honorable man or a christian could do. He offered Mr. Graves the following proposition:

1. J. R. Graves is required to withdraw all the charges of an offensive and personal character that he has made against Dr. Howell, which he (Howell) will specifically present, in as few words as possible, in the same manner and as extensively as he has made them, without note or comment.

2. R. B. C. Howell shall on his part withdraw all the charges of an offensive and personal character that he has made against Mr. Graves, which he (Graves) will specifically present, in as few words as possible, in the same manner and as extensively as he has made them, without note or comment.

This reciprocal proposition he (Howell) regarded as perfectly fair and honorable. It was rejected by Mr. Graves, who here insists that he (Howell) ought, if he thought he was injured, to have come to him according to the 18th chapter of Matthew!! The truth was, the whole thing had become a public scandal, they had long since passed the 18th chapter of Matthew, and the law governing the case was laid down in 5th chapter of First Corinthians. They were obliged to take the case from this point, and not from the beginning, when Mr. Graves had wholly disregarded and violated the law. Mr. Graves rejected all these overtures, and the matter closed before he left the city.

The effort to bring about an adjustment between them having thus failed, brethren inquired what ought to be done, whether they ought to wait for the regular church meeting; he (Howell) replied, certainly, do not be in a hurry about it, that the matter ought to be brought before the regular church meeting and a scriptural discipline enforced. This step was accordingly taken, but Mr. Graves being absent, he had advocated and advised, and all cheerfully concurred in a postponement of action in the matter until his return.

Dr. Howell stated that he had been in the ministry nearly forty years, and had lived peaceably with all men up to that time, and he would show, in the course of that trial, that he had made every effort to live in peace with Mr. Graves.

Mr. Graves claimed to be the offended party. In reply to this Dr. Howell said that he had not published a paragraph in any newspaper since last December, except a short letter recommending brother Walton as Corresponding Secretary of the General Association; while he had been assailed, week after week, in the *Tennessee Baptist*, in the most violent and personally abusive manner. During all this time he had purposely abstained from saying anything about Mr. Graves, either in a newspaper or in the pulpit. How then, he would inquire, could Mr. Graves, unless he recurred to what passed in November of last year, be the offended party?

Mr. Graves, he said, had inquired how many of the parties referred to in the fourth charge had been heard from. Dr. Howell stated that letters had been received from brethren Dawson, Everts, Tustin and Duncan, who demanded that the trial should be proceeded with. He was somewhat surprised at Mr. Graves' position in regard to the fourth charge. If, said he, a member of this church slanders a brother not under its jurisdiction, are we to sit silent and permit it? Is the church not bound to take notice of such conduct, in any of its members, and even though not requested to do so by the injured parties? Letters had been received from several individuals besides those mentioned, and at least one church abroad, demanding that this church should proceed in the case of discipline now before it.

Mr. Graves, said Dr. Howell, objects to this trial on the ground that the specifications upon the charges preferred against him are not sufficiently definite. He has not waited to hear the evidence, which will be forthcoming, in all its extent, when these charges come up for consideration. He refuses to be tried because he has not heard the evidence. Dr. Howell hoped the church would proceed with the case, and if Mr. Graves refused to attend and defend himself, it was his own business. Mr. Graves, with others, was editor of the *Tennessee Baptist*, and if brethren were misrepresented, slandered and defamed by that paper, the church ought to investigate such matters, and put its seal of condemnation upon the offender.

The impression had been attempted to be made by Mr. Graves, that he (Howell) regarded as a great offence the omission to attach "D. D." to his name in the Southern Baptist Register. He says, indeed, that *that* is one of the most *tremendous* (or some such word) of the charges against him. He (Howell) had seen that publication but had not noticed whether the "D. D." was attached to his name or not. It was of no sort of consequence to him whatever, and no such charge was made, as Mr. Graves himself well knew. One thing however, he (Howell) did notice. The *Tennessee Baptist* came to him directed in pencil, "Elder Dr. R. B. C. Howell, D. D."

Mr. Graves (interrupting) said that was done in the business part of the office for

which the editor assumed no responsibility.

Dr. Howell said that he would not then further discuss these questions, since they would all come up regularly in the course of the trial, and he should speak of them fully and satisfactorily. He hoped that the church throughout the trial, would be guided by the strictest impartiality. He appealed to the members of the church to hear the evidence, particularly from the other side, if the defence should offer any, and let come what would, *do right.*

Elder Graves said he was happy to confront brother Howell. We are now doing what should have been done in the first instance—each specifying his grievances—but it should have been done privately, as between brethren, and not before this immense audience. Had this course been pursued, this matter might have been settled outside of the church. Dr. Howell had closed his remarks by calling him (Graves) brother, and he cheerfully reciprocated the spirit which he hoped prompted it, for he entertained no ill-feeling for Bro. Howell. He had no desire, and never had, to injure Dr. Howell, and if he (Howell) had come to him as his Pastor and as a Christian brother, and made known his grievances, it would not have been his (Graves') fault if the matter had not been amicably adjusted. He contended, however, that Dr. Howell had not adopted this course, but had assailed him.

Elder Graves assumed that this is a personal and not a public matter, and should have been settled according to Matthew 18th. Dr. Howell, he said, had admitted that they were personal, when he gave his reasons for retiring from the Moderator's chair at the beginning of this trial, and had previously recognised it as a personal matter over his own signature. Dr. Howell, he said had commented with a good deal of warmth upon the positions assumed in his protest in this regard, and he would introduce the opinions of eminent members of the Baptist Church—scholars and Doctors of Divinity—to show that he was justified in the course he had pursued in protesting against this trial, and that Dr. Howell was bound to observe the scriptural usage in such cases.

Elder Graves then read the following letter from Rev. N. M. Crawford, D. D., Professor in Mercer University, who, he said, knew all about the matters complained of by Dr. Howell.

PENFIELD, October 1st, 1858.

DEAR BRO. GRAVES: Your favor of the 27th ult., is just received.

* * * * * *

I have looked with much anxiety at the proceedings in the Nashville Church, so far as I have known them since I passed through your city in June last. If the statement in the Tennessee Baptist of the nature of the charges against you, and the manner in which they are brought, IS CORRECT, I have no hesitancy in saying, that the law of Christ has not been observed. Bro. Howell and myself are kinsmen, and I am his friend; but, in bringing these charges against you, I must say, that the scriptural requisitions have been violated. Bro. Howell knows my opinion on the subject, for I expressed it to him last June, in an interview which he requested with me. Neither do I think that charges ought to be brought which concern third parties—parties not known to the Church. I say this as much for the sake of those parties, nay more than for yours. What right has a church, to whom I owe no jurisdiction, to investigate and pass upon my conduct? and that without my knowledge or consent? If these third parties are ignorant that these charges which affect them, are thus brought, injustice is done *them*, by investigating their conduct in their absence, and without their having opportunity to defend themselves; for the church will be as much judging them as you. On the other hand, if these parties have given their consent, they are really the parties concerned, and are bound to observe the laws of Christ in regard to offences.

At this distance, and without full information, I could give no advice to either party, if asked, but one thing I must say, Christ's law must govern his church. No question of expediency must be considered. The moment we quit the *rock*, we sin. Let who will be offended, we must hold to Christ's law, every church acting in the name of Christ, must act by the law of Christ.

I cannot express to you how much I have mourned over things in Nashville. May God overrule all, and turn the hearts of his children to the things which he approves. Your brother in Christ,

N. M. CRAWFORD.

Rev. J. R. Graves, Nashville, Tenn.

Elder Graves stated that he had addressed a letter to Dr. Crawford previous to receiving the one he had just read, asking his opinion upon four points, to which he received a reply which he read as follows:

PENNFIELD, October 5th, 1858.

DEAR BRO. GRAVES:—Though reluctant to take any part in the unhappy strife which is distracting our brethren in Nashville, and which threatens to extend more widely, I do not feel at liberty to decline answering your questions.

"Query 1st. 'If A. offends B. in commenting upon his (B.'s public acts—his speeches or printed articles—does or does not the 18th of Matthew make it the duty of B. to go to A. and specify his wrong and injuries, and seek reconciliation and reparation of his wrong? Or would it be equally scriptural for B. to employ C. and D. to arraign A. before the Church for gross public offences?"

In my opinion, the law of Christ (Matthew xviii. 15, &c.) requires the offended brother to seek a private interview first and then, if unsuccessful, to seek a second interview with witnesses. Until these steps are taken, he has no right to bring the matter before the church, and the church has no right to entertain the case. The offended party has no right to employ a third person to bring the charge.

When Christ has given a rule, there is no room for discussions of expediency; our duty is simply obedience. But it is easy to see the wisdom of this rule of Christ. The object is to GAIN OUR BROTHER. "If he hear thee, thou hast gained thy brother."—Matthew xviii. 15. The failure of the first step, in accomplishing this, makes the second necessary, and the failure of that leads to the third. But in all, the object to be sought is not punishment, but correction, that the brother may be gained. Even in the last resort, the object is not strife nor victory, but, if possible, the restoration of love and confidence. With this purpose in view, how much more likely is a private interview to be successful than the impassioned turmoil which is prone to be exhibited in a public contest. And if the public discussion must come, how wise the provision of two or three witnesses by whom every thing can be established.

"2. Will you state the distinction between a *private* and a *public* offence, and also to which, if not to both, you think the 18th of Matthew applicable?"

It may be difficult to define the distinction with a precision that will embrace all cases. It does not depend upon the publicity or secresy with which the act is done, but upon the nature of the act itself. The comment upon a brother's "public acts—his speeches or private articles"—may be made in a private conversation, or in a newspaper, but this difference in the medium of communication is not sufficient to characterize the offence as public or private. If the thing complained of produces personal alienation of feeling on account of personal injury, it would seem to be a personal or private injury, whether done in secret or in the presence of a thousand witnesses.

In my opinion, a private interview, &c., is not to be sought in public offences. If a man has been drunk, the offence is against public morals, not against private rights, and he may be dealt with without the intervention of a private interview.

"3. Suppose a brother refuses to address a brother as Doctor of Divinity, because he does not regard him as qualified to bear the title, is he for this amenable to the Church?"

It is a matter of taste and usage how we address a man in social intercourse. It is an act of courtesy to address an individual by his title whether he deserves it or not. How many generals, judges, professors, and

presidents are there who are unworthy both of the office and the title? But who would refuse to address a man by the title on that account? In all frankness, I must say that it seems to me to be no mark of a Christian spirit either to give or take offenee for so trivial a matter. Certainly I should never think of it as making one amenable to Church censure; particularly where the offended party had not sought an interview to make known his grievance.

"4. Suppose he has conscientious scruples about calling any man Doctor of Divinity, (see Matthew xxiii. 9,) and refuses to call his pastor D. D., is he for this justly arraignable before the Church as an offender?"

If a brother has conscientious scruples about calling a man Doctor, his scruples ought to be regarded and no offence taken. We should always be very tender of weak consciences.

Thus, my dear brother, I have hastily and imperfectly answered your questions. I am well aware that my opinions possess no weight of authority, but as you have asked them, I give them for what they are worth. My heart is sad at the divisions among those whom I much regard as '*my people.*' May God, in much mercy, heal the wounds of his own cause.

I intended sending a copy of this letter to Brother Howell, but I have been so interrupted that I cannot, as I am on the point of starting to our Association.

Very truly your friend and brother,

N. M. CRAWFORD.

Rev. J. R. GRAVES,
Nashville, Tenn.

Elder Graves said he would now read a letter from Rev. J. B. Jeter, who is also a Doctor of Divinity, which he regards as very conclusive upon the point at issue. He read as follows:

RICHMOND, Oct. 6, 1858.

DEAR BROTHER GRAVES.—Your favor of September 29th has been received, and I will promptly reply to your queries.

"1st. If A. offends B. by commenting upon his public acts, his speeches, or public statements, does or does not the 18th of Matt. make it the duty of B. to go to A. privately, and inform him of his offence given, and expostulate with him, and if he fails in this private way, take brethren, &c. Or, would it be equally scriptural for B. to employ C. and D. to arraign A. directly before the Church for a gross public offence?

"2nd. Will you give me your views of the distinction between a public and a private offence, and if the 18th of Matthew applies to both?"

I deem it better to answer these inquiries together. The direction given (Matt. xviii.) refers, in my opinion, to *personal* offences, whether they be private or public. "If thy brother shall trespass against *thee*," &c. The rule is not limited to private, but embraces all personal offences in whatever manner given, and in all such offences no appeal should be made to the authority of the Church, until the preparatory steps shall have been taken, as laid down in Matthew.

A *public* as distinguished from a *personal* offence, is one against society, or good morals. If a man gets drunk, or is profane, or commits fornication, he does not trespass against me, but against Christ—against the public—even if the offence should be secret, or known only to a few. In such a case the offender should be dealt with, not according to Mat. xviii., but according to 1 Cor. v., especially ver. 11.

But there are cases, I think, in which an offence may be *both personal and public.* Suppose a man were to seduce and ruin my daughter, he would grievously trespass against *me*, but his offence would be against the public also. It would be vain for me to deal with him according to 18th of Mat. Any reparation which he might offer to me, would not meet the end of Church discipline. He should be dealt with as was the incestuous member of the Church at Corinth. And now I am prepared to answer your first query.

The offence given by A. to B. might be of a character so wanton and unchristian as to be not merely a *personal*, but a *public* offence—a reproach to the cause of Christ. In this case, a reconciliation between A. and B., though in itself desirable, would fail to answer the ends of Church discipline. The offender should be dealt with according to 1 Cor. v. Should, however, the offence given by A. be of such a nature that a reconciliation between him and B.

would end the difficulty and vindicate the character of the Church, then, by all means, B. should pursue the course marked out by Mat. xviii., and the Church should refuse to judge of the case until this course shall have been adopted by B.

I will now answer question three.

"Suppose a brother has conscientious scruples about calling a brother Doctor of Divinity, (see Mat. xviii. 9,) and should, in writing, omit the appellation, is such an omission a crime for which one should be arraigned before the Church?'"

Most certainly not. His using the title might be a sin, but not his omitting to use it. No man can sin in following his "conscientious scruples" if he does not, in doing so, violate stronger "conscientious scruples."

I have answered your questions on what I deem scriptural principles, without the slightest reference to the difficulty to which you refer, of which, indeed, I know but little. I should have preferred to be silent, but did not feel at liberty to withhold my opinions on the principles of Church discipline. I have only to request that should you deem it proper to publish my letter, that you publish it entire.

Yours affectionately,

J. B. JETER."

"P. S.—I have deemed it proper, as Dr. Howell is interested in the opinions advanced in this letter, to forward him a copy of it J."

Elder Graves said that as Dr. Howell had endorsed this witness, he thought the matter between them might have been satisfactorily settled upon the basis marked out by Dr. Jeter. Dr. Howell had said that if he (Graves) would have retracted the charges he had made against him, that would have been satisfactory, and would have restored their former relations. He had begged Dr. Howell to specify the offensive remarks in his paper but he would not do it. He could not swallow his paper for the last five years. Elder Graves contended that what he had said in the *Tenn. Baptist* of Dr. Howell, was purely in self-defence. If Dr. Howell, however, had yielded to his importunities, and had specified the language of which he complained, and both had retracted whatever was considered offensive or unkind, this whole matter might have been amicably settled without involving the Church in what he considered a purely personal difficulty.

But, Elder Graves said he would now read a letter from the President of Georgetown College, D. R. Campbell, who is a learned Doctor of Laws, in further support of the position he had assumed. He then read as follows:

GEORGETOWN, KY., Oct. 7, 1858.

DEAR BROTHER:—Your favor came to hand last night. I have marked its contents, and reply:

1. The case, under your first question, is strictly subject to Matthew xviii. It is simply a personal offence *publicly* committed.

2. A private offence is a *personal* one, however committed. A public offence is not all personal, but may be against the Church, as assailing her character, faith, practices or interest; or against religion and morality, as being guilty of practices which tend to subvert them. As, in such cases, the offence is against no individual as such, the steps enjoined (Matt. xviii.) cannot be taken; the officers or leading men in the Church might, however, in minor cases, seek an interview with the offender previous to his arraignment, with the view of reclaiming him by remonstrance, and preparing the case for church action. Notorious offences of a highly immoral nature may need only citation and Church action.

3. It is obligatory on no man to address another by the title *Doctor*. He may refrain from it for any reason he chooses. He need not—ought not—to be offensive, however. It would be too absurd to discipline any man for not calling another Doctor, whether he acts from conscientious scruples, or a conviction that the *titled* is without proper qualifications.

Yours, &c.,

D. R. CAMPBELL.

Elder Graves stated that he had a letter from Rev. Joseph S. Baker, of Florida,

as well as others, to the same point. He had clearly established, by the authorities he had read, the manner in which this matter ought to have been settled, and he appealed to the church to dismiss the case, and require the prosecution to first take the steps as laid down in the law of Christ, and if he failed to comply with that law, then let them bring the matter before the church, and deal with him as an offender should be dealt with. He contended, moreover, that the case, as it now stands, makes a false representation of the facts in regard to the difficulty between Dr. Howell and himself, by representing him as the assailing, whereas, he was the assailed party.

Dr. Howell, said Elder Graves, contends that this difficulty commenced here in this house, when the proposition came up before the Convention for the establishment of a Sunday School Board, but he thought it commenced earlier, and referred to Dr. Howell's treatment of him, from the time of his coming here up to the night he wrote him in regard to his participating in a prayer meeting. The course pursued toward him, by Dr. Howell, was a subject of remark by brethren. From the day Dr. Howell came back to this city, his course toward him had been most oppressive and injurious. He had never extended to him, (Graves,) the slightest courtesy—had never called upon him to lead in prayer meeting, or invited him to take part in any other religious exercises: thus showing that he was not recognized either as a minister or a christian in his own church. He felt, and all saw the slight intended.

In addition to this, Dr. Howell, in his speech to the Sabbath School Convention, had made a personal attack upon him (Graves) and those associated with him, in that it was done to injure him in the business by which he made his bread. And in December following Dr. Howell published a letter in the Christian Index, in which this assault upon his (Graves') business was repeated in even a more offensive form. All this, Elder Graves said, was done before he had published a line repelling these personal assaults upon himself and friends, and yet he was charged with having assailed and traduced Dr. Howell.

Elder Graves said, Dr. Howell asks what he had done to injure him, and replied that by his private intercourse, by his speeches and letters, running as far back as February, Dr. Howell had sought to injure not only his ministerial character, but his personal standing, assailing his honesty as a man.

Dr. Howell, (interrupting,) demanded the proof.

Elder Graves replied that he had it, and would read a statement which had been voluntarily tendered him by the author. He then read the following:

"During the month of February or March, 1858, and while engaged in the legitimate pursuit of my business, in my office at Nashville, Dr. Howell made me, as I suppose, a casual call, finding me engaged on a drawing for Rev. J. R. Graves. As soon as the fact was known, (i. e.,) that the drawing was for Rev. Mr. Graves, Dr. Howell voluntarily remarked that the said Rev. J. R. Graves 'was a dishonest man, and could not be trusted.'

The above is communicated to Rev. J. R. Graves voluntarily, in view of the recent action of the First Church in Nashville toward that gentleman and brother, which I have learned from the columns of the Tennessee Baptist."

A. B. HENDREN, Arch.

Dr. Howell remarked that he was not before the Church for trial, and he hoped the Moderator would permit nothing defamatory of his character to be read. He denounced the statement of Mr. Hendren as untrue.

Mr. Fuller rose to a point of order.

Elder Graves. Brother Howell asked for proof, and I gave it.

Mr. Fuller stated his point of order to be, that the parties had wandered from the matter before the church.

The Moderator stated that the parties must confine themselves to the question under consideration.

Elder Graves appealed to all present to bear witness that he was not here to oppose a fair trial, instituted and conducted according to scriptural usage. He was ready and willing to submit an investigation of his course to such a tribunal.

He referred to one of the charges brought against him, being the leaving of "D. D." off Dr. Howell's name in the Baptist Register.

Mr. Fuller, (interrupting,) I wish to ask Mr. Graves if he did not have a copy of the charges when he wrote the article in which he states that, "one of the most stupendous charges was the leaving "D. D." off Dr. Howell's name in the Register?"

Mr. Graves. I understood that to be one of the charges.

Mr. Fuller. It is very difficult for the gentleman to answer a plain question categorically. I now ask him again, if he did not have, in his possession, a copy of the charges when he wrote *that* article. Let him answer yes or no.

Mr. Graves. I did.

Dr. Howell said that the opinion of Dr. Crawford in regard to the difficulty between Elder Graves and himself, was predicated upon what he had seen in the Tennessee Baptist, which is an entire misrepresentation of the facts, and therefore, that opinion was erroneous; and this remark would apply to all the brethren whose letters Elder Graves had read. Their opinions were formed upon *ex parte* information, and as a consequence, they must be erroneous. He imputed nothing wrong to these brethren. They had been imposed upon, and, therefore, did him injustice.

In regard to a settlement of this difficulty, Dr. Howell stated that up to June or July last a withdrawal of the charges and misrepresentations made against him, in the Tennessee Baptist, would have been satisfactory as far as he was himself personally concerned. He desired, most sincerely, to terminate the difficulty, but Elder Graves would not withdraw the charges made against him, and the consequence was that negotiations instituted to bring about an adjustment failed.

He perceived that Elder Graves was under an erroneous impression, in regard to the fourth charge. It was *his* conduct, and not that of the brethren mentioned in that charge, that this church was to investigate. He was charged with abuse and misrepresentation of them, and it was the duty of the church to try him upon that charge.

Elder Graves, (interrupting,) asked Dr. Howell if he did not clearly intimate in his note, and through the committee he suggested in that note, that if he, [Graves,] would retract what he had said about him, [Howell,] that the matter would stop there?

Dr. Howell replied, that the committee could answer.

Elder Graves called on Mr. Scovel to state his recollection.

Mr. Scovel replied that he so understood the matter.

Elder Graves called upon the Moderator to say if he did not make this impression upon his, [Graves'] mind.

The Moderator replied that the correspondence will speak for itself.

Dr. Howell, [resuming,] said he did not remember to have had any conversation with Mr. Hendren in regard to Elder Graves, and he pronounced his statement

untrue, and demanded the proof to sustain it.

Mr. McIntosh inquired whether Elder Graves asked for further time to prepare for this trial? If he wants more time, he was willing, and had no doubt the church was willing to grant it to him.

Elder Graves referred to his protest.

The Moderator then stated the question before the church to be: Shall this whole matter be thrown out because the scriptural usages in such cases has not been observed?

Elder Graves demanded the ayes and noes.

Upon a call of the roll the vote stood, ayes 41, noes 98.

So the church refused to quash the proceedings.

Elder Graves remarked that he understood the church by the vote just taken, to refuse to accept his protest. He would, however, ask that it be spread upon the records of the church.

The Moderator informed Elder Graves that the church had employed a reporter to make a full and impartial report of the proceedings of the trial, and his protest would appear as a part of that report, and thus go upon the record.

Elder Graves repeated his objection to the course the church had determined to pursue in regard to this trial, and announced his withdrawal from the church. He could fellowship with this church no longer.

The Moderator reminded Elder Graves that he had repeatedly expressed the opinion that the Baptist Church was the only democratic church on earth, and by the polity of this church no member can get out of it except by death or exclusion.

Elder Graves admitted that he still entertained that opinion of the Baptist church, but when the majority of the members of a church trample upon the law of Christ they become a faction, and are no longer a church.

Dr. Howell moved to adjourn to Wednesday evening at 7½ o'clock.

Dr. Dayton asked leave to read a short paper—a very short paper.

Mr. Rutland appealed to the church to hear the paper read.

Dr. Howell refused to withdraw his motion to adjourn, as it was now midnight.

The motion being put, was carried, and the proceedings were closed with prayer by the Moderator.

Mr. Graves' "protest" has now been given with his elaborate arguments to sustain it; and as no connected review of it could be made under the circumstances in which it was unexpectedly sprung before the church, the Committee of Publication deem it proper to present at this point the following review of Mr. Graves' protest, taken from the *Baptist Standard:*

DID THE CHURCH DO RIGHT, IN DECIDING TO GO ON WITH THE TRIAL.

The members of the church were satisfied, that the charges were for offences of such a character, as made the action of the church not only proper, but necessary. It had been expected, that Mr. Graves would either confess his fault, and make proper satisfaction to the church, or would make a defence of his course. If he were innocent, what should he desire more ardently, than to confront his accusers, and vindicate his character. If, on the other hand, he were guilty of the charges brought, a christian should desire to atone for his fault, and penitence would prompt a promise of amendment.

But Mr. Graves, as has been seen, takes neither course. He pleads to the indictment. He occupies a position similar to that of a man, who, accused of an offence before the courts of the country, pleads that the offence charged in the indictment, even if admitted to be true, is not of such

a nature, as to bring his case within the jurisdiction of the court. So Mr. Graves alleges, that the offences with which he is charged, are not of such a character, even if true, as to give the church jurisdiction of the matter, until the previous steps, required in the 18th chapter of Matthew, had been taken. He has presented all the arguments by which he endeavors to sustain his position, in a protest carefully written out, and in a prepared speech, afterwards given to the public in the *Tennessee Baptist*. This protest, and the arguments of this speech, have now been laid before our readers. We have presented all that has been said, or that can be said, on that side of the question.

It is but just, that the other side of this question should be presented also, so that the public may be able to decide, with all the arguments before it, whether the offences charged against J. R. Graves, are of such a character, as to render it the duty of the church to proceed with the trial.

STATEMENT OF THE QUESTION.

Mr. Graves maintains in his protest and speech, that in cases of private offence, the party offended should take the steps required in the 18th chapter of Matthew. We take no issue with Mr. Graves on this point. We say the same. Both parties agree that in cases of private personal offences, the steps required, Matthew 18th, should be taken, before the matter is brought before the church. But Mr. Graves further maintains, that he is charged with offences of this character. Here we take issue. We maintain that he is charged with public offences.

If Mr. Graves is charged in the indictment with private personal offences, it is admitted that the church had no right to take action in the case, until the steps required, Matthew 18th, had been taken. But if, on the other hand, he is charged in the indictment with PUBLIC SINS, his case should be dealt with according to first Corinthians, 5th chapter, and the church did right in proceeding with the trial.

This is a fair statement of the question.

We might, in discussing this question, present the evidence, and prove that J. R. Graves is guilty as charged; but this would be going beyond the question in issue. The question we have now to discuss, is not whether Mr. Graves is guilty or innocent of the charges brought against him; but, whether he is charged with public sins, or private personal offences. We have now only to look at the charges brought against Mr. Graves. Whether they are sustained or not, will appear in the course of the trial. We have no desire to prejudice the public mind, by now entering on a discussion of the guilt or innocence of Mr. Graves. Nor is it necessary to our purpose.

If a man is charged with conduct constituting a public sin, when he has only been guilty of conduct which constitutes a personal offence, it is evident that the charge cannot be sustained upon trial. But this is no reason why he should not be tried, but a reason why he should be tried. To illustrate: a man is indicted for murder with malice aforethought, when, in fact, his offence is only manslaughter. What is the consequence? The charge cannot be sustained, and the man must be cleared. But he would have no right to protest against being tried for murder, on the plea that his offence was not murder, but manslaughter. He must go into trial, and establish the fact. So in the present case. If J. R. Graves is charged with a public sin, when his conduct is only a private offence, he has no right to protest, on this ground, against being tried. It is the very reason he should be tried; for if he can establish the fact, it is evident that he must be acquitted. An accused party can

never refuse to be tried, on the ground that he is charged with offences, of which he is not guilty. The object of a trial is to ascertain this very fact.

The only ground, on which an accused party can protest against being tried, is, that he is *charged with an offence of which the court has no jurisdiction.* For instance: in the State of Kentucky, if A entrusts property to the care of B, and B sells it and keeps the money, this is not theft, but a breach of trust; and B is not subject to prosecution by a criminal court, but suit must be brought against him for the value of the property. Now suppose B were indicted in a criminal court, for selling this property entrusted to his care, and keeping the money. He might protest against being tried by the criminal court. He would say, I acknowledge the fact with which I am charged; but I am not charged with a criminal action. Admitting all to be true, this court has no right to try me. My case does not come under its jurisdiction, but under the jurisdiction of a civil court.

So in the present case. If Mr. Graves protests against being tried, it must be upon the ground, that he might admit the charges to be true, and still he would be guilty only of a private personal offence: in other words, that he *is charged only with a private personal offence.*

It is evident that we can determine this question, only by reference to the indictment. If Mr. Graves is charged in the indictment with conduct, which constitutes a personal offence only, his protest is sustained. If on the other hand, he is charged with offences which constitute a public sin, then his protest falls to the ground, and the church did right in proceeding with the trial.

DOES THE INDICTMENT CHARGE MR. GRAVES WITH CONDUCT, WHICH AMOUNTS ONLY TO A PRIVATE PERSONAL OFFENCE, OR WITH CONDUCT WHICH CONSTITUTES A PUBLIC SIN?

It is as follows:

THE INDICTMENT.

We, the undersigned members of the First Baptist Church, Nashville, Tennessee, charge Rev. J. R. Graves, a member of said church, and one of the editors of the Tennessee Baptist, with grossly immoral, and unchristian conduct, in four distinct cases as follows:

First, in that he has sought to bring upon R. B. C. Howell, the pastor of said church, reproach and injury, and thus to destroy his character and influence in the Southwest, by forcing him into collision with Rev. A. C. Dayton, late Corresponding Secretary of the Bible Board, and now one of his associate editors, through the publication in his said paper, of various false and malicious representations.

Secondly, in that he has endeavored to distract and divide said church, by means of a conflict between its pastor and four of its deacons, and several others of its influential members, which he has labored to produce, by numerous inflammatory articles, published in his paper.

Thirdly, in that he has uttered and published in his said paper, against R. B. C. Howell, the pastor of this church, sundry foul and atrocious libels.

Fourthly, in that he has, at various times, attacked, slandered, and abused ministers and brethren, of high character, belonging to our denomination, throughout the country, in his said paper.

[Signed.]
J. C. DARDEN.
CHARLES A. FULLER.

A fifth count was added by brethren Scott and Nelson, in which he was charged with falsehood in nine specifications.

The indictment *charges "grossly immoral and unchristian conduct,"* not personal offences.

A DILEMMA.

Now Mr. Graves is in this dilemma. If guilty of "grossly immoral and unchristian conduct," as charged in the indictment, then, such conduct is a proper subject of

church action, and he had no right to protest against a trial. If he pleads not guilty as charged in the indictment, still he had no right, on this plea, to protest against being tried, but was bound to go into trial, and establish his innocence. He may choose either horn of the dilemma. Either is fatal to his protest. If guilty, the church has a right to try members guilty of "grossly immoral and unchristian conduct." If not guilty, who ever heard before, of a man refusing to be tried, because he was not guilty of the conduct charged in the indictment? What would be thought of a prisoner at the bar of justice, protesting against being tried by the court, on the ground that he was innocent!! Did any advocate ever enter such a plea? Was such a plea ever made before any tribunal? No; it was left for J. R. Graves on the 12th day of October, 1858, to enter such a plea for the first time in the annals of the world.

This simple statement is fatal to Mr. Graves' first ground of protest.

But we will go further. We will maintain, not only that he is charged with conduct which justified the church in trying him under the indictment, but further, that the conduct specified in the counts, is of a character, which fully sustains the charge of the indictment of "grossly immoral and unchristian conduct." We refer the reader to the counts under the indictment.

THE CONDUCT SPECIFIED IN THE FIRST TWO COUNTS—STIRRING UP STRIFE.

The conduct specified in the first count—his seeking to stir up strife between the Pastor and Elder Dayton—is certainly "grossly immoral and unchristian conduct." Of the same character is the conduct specified in the second count, where he is charged with laboring to produce a conflict between the pastor and four of the deacons of the church. Will Mr. Graves, or any of his friends maintain, that stirring up strife among brethren is not "immoral and unchristian conduct?" Will he maintain that this conduct is only an offence against the individuals between whom strife is raised? What would be thought of an individual, who in one of our towns, was laboring to get two men into conflict? Would his conduct be an offence only against the individuals concerned, or would it be an offence against society, and the public laws? Most undoubtedly the latter. If he succeeded in his efforts, and in the conflict one of the parties were killed, he would be considered an accessary to the deed, and would be punished by the laws. And can Mr. Graves maintain before an intelligent community, that this endeavor to stir up strife with which he is charged, is not an offence against the law of God, but only a private offence against individuals? Yet such is his position. In his speech as published in the *Tennessee Baptist*, (which by the way is by no means the speech which he delivered before the church,) he maintains, that to stir up strife between Bro. Howell and Elder Dayton, is only a personal offence against brother Howell: and that to stir up strife between brother Howell and four of the deacons of the church, is only a personal offence against brother Howell and those four deacons! We cannot account for this opinion of Mr. Graves. We must believe that it is his opinion. It can only be accounted for as an instance of the power of habit upon the moral sense.

Is it necessary for us to go into an argument to prove that stirring up strife is sinful? If strife is sinful, to stir up strife is equally sinful. To prove that strife is sinful we need only refer to Romans xiii, 13; Gal. v. 20; James iii. 14–16; Second Corinthians xii. 20. It is needless to to go into an argument, to prove that stirring up strife is a sin against God. We will quote a few, out of many passages from the word of God to prove it. "Why dost thou

show me iniquity and cause me to behold grievance? for spoiling and violence are before me: and *there are, that raise up strife,* and contention. Therefore the law is slacked, and judgment doth never go forth: for the wicked doth compass about the righteous; therefore wrong judgment proceedeth." Habakkuk i. 3, 4. "He loveth transgression that loveth strife" Prov. xvii. 17. "Wherefore have we fasted, *say they,* and thou seest not? wherefore have we afflicted our soul, and thou takest no knowledge? * * Behold ye fast for strife and debate and to smite with the fist of wickedness." Is. lviii. 3, 4. These passages will suffice. In the new Testament, while strife is condemned, and the opposite duties are inculcated, no law is made against the stirring up of strife, for the same reason that the Romans refused to make a law against parricide. The crime was so opposed to every dictate of filial piety, as to render prohibition unnecessary.

This is the offence with which J. R. Graves is charged in the first two counts. We leave it with a candid public to decide, whether this offence is a private personal offence against the brethren thus attempted to be estranged, or an offence against Christ and his cause.

The conduct charged in the next two counts comes under the general head of

RAILING.

In the fourth count, he is charged with having attacked, slandered, and abused, for years past, various brethren throughout the country. The third count charges his more recent offence, of uttering and publishing libels against the pastor of the First Baptist Church. Throwing aside legal terms, this conduct is that specified in scripture language as "railing."

Is railing sinful, or is it merely a private personal offence? Let us appeal to the inspired word. "Finally be ye all of one mind, having compassion one of another; love as brethren, be pitiful, be courteous; not rendering evil for evil, or railing for railing; but contrarywise blessing." 1st Peter iii: 8–9. Railing is here placed in the same catalogue with returning evil for evil. It belongs to the same class with revenge. We are told that "Michael, the archangel, when contending with the devil, he disputed about the body of Moses, durst not bring against him a railing accusation, but said, The Lord rebuke thee." Jude 9. Why durst he not? Was it not because God allows none of his creatures to bring railing accusation against any? And if an archangel, in the fear of God, durst not bring railing accusation against a fallen spirit of darkness, how shall frail imperfect man dare to rail against his fellow? In the days of the Apostles, no argument would have been necessary on this point. But alas for earth! error in religious truth has filled the church with its offspring, discord and contention. And, in zeal for truth, the servants of God have too often forgotten what spirit they are of! The Christian world has become so accustomed to see strife and railing between the advocates of opposing views, that the great cardinal precepts of Christianity—love to all—meekness to opponents—and railing against none—have to be reasserted and proved!

Some may admit that railing against an opponent is wrong, and much more railing against brethren, while they think it is only a personal offence. The apostle Paul instructs us on this point. In his 1st Epistle to the Corinthians, 5th chapter, he says, "Now I have written to you not to keep company, if any man that is called a brother be a fornicator, or covetous, or an idolater, or *a railer,* or a drunkard, or an extortioner, with such an one, no not to eat." The evident meaning of this passage is, that these characters are to be excluded from the church. His meaning is fully explained in

the 13th verse, "Therefore put away from among yourselves that wicked person." Here the apostle ranks the railer with the fornicator, the idolater, and the drunkard; and directs the church to deal with him in the same manner. Is the drunkard—is the idolater—is the fornicator guilty of public sin? Then so is the railer. Inspiration makes no difference between them. We dare make none. Do we want more evidence? Turn to the 6th chapter of 1st Corinthians, 9th and 10th verses. "Neither fornicators, nor idolaters, nor adulterers, nor effeminate, nor abusers of themselves with mankind, nor thieves, nor covetous, nor drunkards, nor revilers, nor extortioners, shall inherit the kingdom of God." The word here rendered *revilers*, (*loidoroi*) is the same word elsewhere rendered *railer*. The word denotes a person using abusive language. Here the railer is classed with the vilest characters; and it is affirmed of him, that he shall not inherit the kingdom of God. Why can he not inherit the kingdom of God? The only reason which can be assigned, is that his conduct is a sin against God, and is hateful in his sight. Has not the church a right to try a member who is charged with this sin against God? Most assuredly. It is not only her right; it is her duty to investigate such charges, when brought against any of her members.

The offence specified in the 5th count, added by brethren Scott and Nelson, is

WILFUL AND DELIBERATE FALSEHOOD.

Under this count there are nine specifications of falsehood. It needs no argument to prove, that the conduct charged in this count is immoral and unchristian. Or will it be maintained, that deliberate falsehood is also a personal offence?

This is the conduct charged against J. R. Graves. He is charged in the indictment with "grossly immoral and unchristian conduct." This charge is sustained in five counts. The conduct specified in the first two counts, is

STIRRING UP STRIFE BETWEEN BRETHREN.

The conduct charged in the next two counts, is

RAILING AGAINST HIS BRETHREN.

The conduct specified in the fifth count, is

WILFUL AND DELIBERATE FALSEHOOD.

Now we put this question to the candid reader: if these counts can be established in trial, do they not sustain the charge in the indictment, of "grossly immoral and unchristian conduct?" If stirring up strife between brethren—if railing upon brethren for years together—if wilful and deliberate falsehood, do not constitute immoral conduct, we must confess, that we know not what does. This is the conduct charged upon J. R. Graves, yet he maintains that he is charged only with private offences against individuals!

We are not now discussing the question whether Mr. Graves is guilty of these offences. This is not the proper time for such a discussion. Nor is it necessary for our present purpose, to establish his guilt. It is only necessary for us to show that he is CHARGED WITH OFFENCES *which constitute public sin.* This has been done. And now it matters not whether he is guilty, as charged, or not. In either case the church had jurisdiction of the cause, and he was bound to go into trial. Wherever a person is charged before any tribunal with conduct of which that tribunal has jurisdiction, he can never refuse to be tried by that tribunal, whether he is innocent or guilty. Innocence does not exempt him from trial. It never exempts from trial before any court. How then could it exempt Mr. Graves from trial?

The first ground of Mr. Graves' protest has now been examined, and it has been found wholly insufficient to establish the po-

sition, that the church should not go on with the trial. The assumption upon which it rests, viz: That he is charged only with personal offences, is found to be incorrect. It has been established that he was charged with sinful conduct, which gave the church entire jurisdiction of the case.

THE SECOND GROUND OF PROTEST.

Mr. Graves' second ground of protest is, that he is the offended, and not the offending party.

It is unnecessary here to enter upon a discussion of the fact alleged. Whether this be true or not will appear in the course of the trial.

For a discussion of the issue presented in this ground of protest, we refer the reader to the article in another page, headed "The 18th chapter of Matthew."

It is only necessary to remark in this connection, that even if the fact alleged were admitted, it furnishes no ground for his refusing to be tried. This point has been already discussed in the examination of the first ground of protest. It is a plea of innocence, which as has been seen, furnishes an additional reason why the trial should proceed.

THE THIRD GROUND OF PROTEST.

The third ground of protest is, that the church has no jurisdiction of the conduct specified in the fourth count. The reason alleged is, the persons assailed are not members of the First Church. It seems sufficient answer to this, that the church is not claiming jurisdiction over those brethren. It claims jurisdiction over the conduct of Mr. Graves only, who was a member of the church, and subject to her jurisdiction.

The principle maintained in this ground of protest is, that a church has no right to try a member for any wrongs which he inflicts on persons without her pale. The fallacy of this principle will appear upon brief reflection. If a member of a church falls upon an unconverted person, and inflicts upon him bodily injury, has not the church the right to try him for his conduct? Suppose the person beaten is a member of a sister church, has not the church still a right to investigate the conduct of her own member? The true position is this: When a church member is charged with unchristian conduct towards any one, no matter whom, it is the duty of the church to investigate the charge.

FOURTH GROUND OF PROTEST.

Mr. Graves' fourth ground of protest (he erroneously styles it the third) is, that the specifications are not sufficiently definite. It was intended to make the specifications sufficiently definite to enable Mr. Graves to know of what he was charged. If, however, they were not sufficiently definite, this would have been ground for Mr. Graves to ask for delay in order to prepare his defence. He might also have properly demanded that the specifications should be made more definite. All this, doubtless, would have been granted him. The church had postponed the trial once, and, no doubt, would have done so again, had he requested it. It was disposed to act towards Mr. Graves with the utmost consideration and fairness, and would have given him all the time he might have needed to prepare his defence. Indeed Bro. McIntosh proposed to do so. He asked Mr. Graves if he desired more time, and expressed the willingness he felt, as did the members of the church, to grant it. But Mr. Graves, in answer, only referred to his protest; thus, evidently showing that his desire was to evade a trial altogether. The fact, here specified, would have justified Mr. Graves in asking for more definite specifications, and in demanding time to prepare a defence; but it does not justify him in refusing to be tried at all.

We have thus examined the protest of

Mr. Graves, and find it utterly groundless. Not one objection which he urges can be sustained.

We submit the question, whether the church did right in her decision to proceed with the trial of J. R. Graves, to the judgment of a candid public.

THE EIGHTEENTH CHAPTER OF MATTHEW.

One of the great ends of the christian religion, is that the members of Christ shall live together in the unity of the spirit, and the bonds of peace, bound and knit together in love. Every departure from this state of feeling is a departure from the will of Christ. There should be no contentions between brethren.

But in the present depraved condition of our natures, offences will be conceived, with, or without cause. Hence, the Divine author of our religion has, in this precept, provided a rule of action for such cases, that, by its observance, wounded feelings may be healed.

When a christian conceives himself injured by a brother, his carnal nature prompts retaliation. But this must not be. The law of Christ is plain. He must go to the offending brother and tell him his fault. If the injury was unintentional, an opportunity is thus given for explanation. If this command were complied with, there could be no heart burnings among brethren. The letting in of the waters—the beginning of strife, would be stopped, and the church would enjoy perfect harmony, and peace, and love. How wise this provision to preserve the church from disturbance and division. How beautifully it harmonizes with all the principles of christianity, and how perfect its unison with the love, which should pervade every christian's heart. The christian, upon receiving offence, feels no revenge, or should feel none. He is wounded, he is grieved; and his first emotion is to go to the brother whom he loves, who has thus trespassed against him, and remonstrate with him, not with harshness, but with regret. The offending brother is melted, reparation is cheerfully made, and their friendship and love is more firmly rooted, by the blast which has shaken it. It was obedience to this command, which promoted that harmony, which was the strength of the early churches of Christ, and which bore a witness of the truth of the gospel among the heathen, who said: "How these christians love one another."

The object of this precept is evidently to prevent alienation between brethren. The only construction which can be placed upon it, limits its application to the beginning of estrangement. Its design was to prevent this estrangement from breaking out into an open rupture. As soon as a christian feels a sentiment of alienation from his brother, at that moment this precept applies to him. He must let this feeling go no further. This estrangement must be healed. But how? Go to thy brother. Seek an explanation. If he hear thee, thou hast gained thy brother. The difficulty is ended. But if he will not hear thee, go to him again; repeat your remonstrance in the presence of one or two witnesses. If he still will not hear thee, tell it to the church. Here your personal connection with the matter ends. You tell it to the church. Your cause is in the hands of the church. It must demand the proper reparation. If it is not given, the offending and obstinate brother must be excluded.

Here it will be seen that no provision is made for the offended brother to retaliate. Such conduct is opposed to the genius of Christianity. Christianity allows no retaliation, no feeling of revenge. Without this provision of Matthew 18th, there would be a want of harmony in the system. Trespasses could not be resented, and our

religion would present no means of redress. But this precept presents a method, in beautiful harmony with the spirit of the gospel, by which all wrong may be redressed—all wounded feelings healed.

But has the offended brother the right to cherish resentment in his heart, without taking the course marked out in this precept? Did the Savior leave it optionary with his people to obey this command, if they chose, or to retaliate, if they prefered to do so? The command is positive, and disobedience to it is as sinful, as the transgression of any other command. Whenever the state of things which it contemplates has occurred, obedience is enjoined as a duty. The church is the proper tribunal to enforce obedience to this, as well as the other commandments of God.

Then, if the offended brother retaliates, and attempts to injure the brother with whom he is offended, he is doubly guilty. In the first place, he has transgressed this command. In the second place, he has violated all the principles of peace, and love, inculcated by our Savior. His conduct is no longer a private offence against an individual, but a public sin against Christ. He has chosen to do wrong, when Christ has directed him how to do right. He has avenged himself, when Christ directed him to endeavor to gain his brother. As a sin against Christ and his law, the church should take cognizance of his conduct.

He cannot now shelter himself behind the 18th chapter of Matthew. The state of things, to which this precept was intended to apply, is past. He has brought about the state of things, which it was designed to prevent. He has, himself, trampled upon the precept of the 18th chapter of Matthew, and he cannot now raise it from the dust, to interpose it as a shield, between him and the condemnation of the church.

Our Savior gave this precept to prevent the beginning of contention, but he has, in the indulgence of unhallowed passions, entered upon contention.

Laws should be interpreted by the design of the law-giver. They should never be wrested to a different design. If this precept was given to prevent the beginning of contention, by promoting a reconciliation; when contention is begun, it no longer applies. If it was made to prevent contention, it was not made to shield the contentious man. On the contrary it condemns him. And if his conduct, in violating this precept, should receive the condemnation of the church, how can he claim, that this precept forbids the church to judge him, for violating the other commands of our Savior.

Paul writes to the Corinthians, with regard to a brother, who is a railer. Does he say that the brother, against whom he thus rails, must go to him, and remonstrate with him according to Matthew 18th? No. He says TO THE CHURCH, "put away from among yourselves that wicked person." This must be received as an explanation of the precept of our Savior, as understood by the Apostle. It evidently limits the application of the precept to the beginning of estrangement, and shows that whenever that precept is violated, and a brother rails upon one with whom he is offended, the church should take cognizance of his conduct.

WEDNESDAY EVENING, Oct. 13.

Met pursuant to adjournment.

The proceedings were opened by reading a portion of Scripture by the Moderator, and prayer by Rev. Mr. Woolfolk.

The reading of the minutes of the previous meeting was dispensed with.

On motion, the first count in the charge of grossly immoral and unchristian conduct

preferred against Elder J. R. Graves, was taken up and read as follows:

We, the undersigned, members of the First Baptist Church, Nashville, Tennessee, charge Rev. J. R. Graves, a member of said church, and one of the Editors of the *Tennessee Baptist*, with grossly immoral and unchristian conduct, in that he has sought to bring upon R. B. C. Howell, the Pastor of said church, reproach and injury, and thus to destroy his character and influence in the Southwest, by forcing him into collision with Rev. A. C. Dayton, late Corresponding Secretary of the Bible Board, and now one of his associate editors, through the publication in his said paper of various false and malicious representations.

Mr. Fuller stated that the evidence to sustain this count, was to be found in various numbers of the Tennessee Baptist, which he read as follows:

Tennessee Baptist, No. 23, Feb. 13, 1858. "There is manifestly a systematic attempt to cripple down the Secretary of the Bible Board, on the part of anti landmark *men*, and editors. We allude to what has appeared in the journal from his associate editors, and the course of a portion of the Baptist press, and the anti-landmark portion of the Board, and recently heralded to the world by "A member of the Board," and not the least indicative sign, the allusion to brother Dayton as Corresponding Secretary in Elder Howell's letter to the Index, in which he virtually—to all intents and purposes—attaints brother Dayton for malfeasance in office by an insinuation. We allude to this sentence: "But we are told by the newspapers that *this very brother* is himself rapidly preparing Sunday School books, and that several will be ready, and actually presented to 'The Union' in April next, at Americus, in your State. Very well—let him prepare them, *if the Bible Board will allow their Corresponding Secretary to devote nearly* ALL HIS *time to writing books, and instead of presenting* them to '*The Union*,' let him send them to the *Southern Baptist Publication Society*. If they are such books as the Baptists approve, that Society will publish them, and for as small a price and in as good style as the work can be done elsewhere in the South or South-West."

"Does brother Howell mean to say that the Corresponding Secretary has neglected, or may probably neglect his official duties, to write books? If not, why say if the Board will allow him to devote *nearly all his time* to writing books? In any light, the impression left is very bad, and casts suspicion upon the Secretary, reflecting too nearly a sentiment once before published in this city, that no man should approve. All these things are calculated to make the position of the Corresponding Secretary uncomfortable, destroy his peace, and paralyze his influence and usefulness. We have no doubt but that an anti-landmark Secretary would be preferred by that part of the Board that adopted the late report of a committee. Brother Dayton can easily be driven from the Board, and will certainly be by this treatment, but will the Board supply his place with a better man? He [Mr. Dayton] has done too much good to be let alone. He is enjoying too much of the love, and attracting too much of the attention of Baptists not to be compelled to suffer the penalty, that superiority or great usefulness is ever doomed to pay."

Tennessee Baptist, No. 24, Feb. 20, 1858. "That part of Brother Howell's letter that most deeply pains us, is the sentence that casts that most unkind and cruel suspicion upon brother Dayton. Unless it does by implication charge him with having spent most of his time, or that he is now spending, or that the probabilities are that he is about to spend most of his time writing books, we cannot gather brother Howell's intent in penning it. He must have known that it would deeply wound brother Dayton's feelings, mar his peace, and make him uncomfortable. He must have known that the sentence was admirably calculated to excite suspicion in the minds of all over whom he had any influence. He [Howell] doubtless knew that such a paragraph as this had been penned and published by a member of the Bible Board. Surely brother H. nor any man can think it strange that brother D. should feel sensitive to see such an insinuation reproduced by the President of the Bible Board."

Tennessee Baptist, No. 45, July 17, 1858. "Our readers will find in this column this week a fine specimen of the sentiments of not the Baptist '*rank* and *file* only,' but of a number of the leading minds of the denomination from Maryland to Florida, and Virginia to the furtherest Texas."

Among these "leading minds" see the fol-

lowing from an article signed "*Alabama:*" "Where is Tustin's influence in South Carolina? Where are Hillman's and his friend H. in Tennessee? Where is Henderson's in Alabama? Not one of them has a tithe of the influence in the heart of their territory *that they had before they began this war* on brother Graves and his paper. 'They have made a pit, and digged it, and are fallen into the ditch which they have made. Their mischief has returned upon their own heads, and their violent dealing has come down upon their own pate.'"

The testimony to sustain this count in the charge against Elder Graves having been read,

The Moderator stated that Elder Graves would now be afforded an opportunity to offer any counter testimony he desired.

No testimony being offered by the defendant,

The Moderator said the prosecution would now be heard.

Dr. Howell said:

Brother Moderator and Brethren:

It has become my duty, on various accounts, to address you, on this first count in the trial of Rev. J. R. Graves, now pending before you. I do so, not because it concerns me more than it does many other brethren, here and elsewhere, but because I am probably more familiar with the details than any other member of the church, and at the request of the brethren who are the prosecutors, in this, and the three following counts.

I should do injustice to my feelings, did I not here declare, that the necessity which has forced brethren to bring this charge before you, with its several counts, and their specifications, and proofs, against a professed brother, a member of this beloved church, pains me most deeply. But however painful to us, it has become indispensably necessary in order to protect the church, to protect your pastor, and to protect other brethren, at home and abroad, from his assaults now so long continued, and which give no indications that they will soon cease. Would that this last resort could have been avoided. No alternative however, was left you. Every scriptural measure was resorted to in vain. You indeed, went even further than the scriptures demanded. Every practicable compromise was proposed to him. In his private notes, and in his paper, he would, as I am now compelled to think, for effect merely, "entreat to be made sensible of his wrong doing," protesting that he "was ready to do whatever truth and religion required." But when brought to the point he invariably, and persistently refused to retract, or disavow any of his false and injurious charges against brethren, to apologize, or to do any thing else, but continue to assault and defame them. The more solicitous our *private* efforts to restrain him, the more reckless grew from week to week, his attacks. All this you know, as well as I do, to be strictly true. You could do no more. Longer forbearance would have been a sin against God, and your brethren. The cause was bleeding at every pore. Every principle of the gospel of Christ demanded that your indulgence should terminate; that he should be arraigned before you without further delay; you yielded to the dire necessity which he forced upon you.

With other brethren in this church, and out of it, I myself, it seems, have come in for a large share of his abuse and defamation. Why, may I ask, brother Moderator, should Mr. Graves evince so much bitterness towards me particularly? Indulge a few statements in this connection; and if I detain you somewhat, before we enter more directly upon the count in the indictment to be considered tonight, I shall, I am sure, be pardoned.

I have now been a member of the Baptist church about thirty-seven years. During all that time I have sought earnestly, and hitherto with almost perfect success to "live in peace with all men." With Mr. Graves particulalfly, I had determined to have no conflict. This was my firm purpose. For this conciliatory course, I had various reasons, to some of which I may not improperly refer. In him I had taken a special interest, and *towards me*, I must think, had he been a man of ordinary temper of mind, he would under his circumstances, have thought, and acted very differently. When he first came to this city, a stranger, and friendless, I received him, as he must himself, even now confess, with all kindness. He possessed as I thought, talents which with earnest piety, humility, industry, and ordinary prudence, might render him an eminently useful laborer in the cause of Christ. We were in this state, at that time, as indeed we are even now, exceedingly destitute of

ministers. I was, perhaps too strongly, desirous of increasing their numbers, and therefore too ready to extend my confidence to any one who claimed to preach the gospel of Christ. Knowing nothing of his antecedents except that I found his name as an instructor in the catalogue of a school in Kingsville, Ohio, I introduced him, as I must now admit, prematurely, and imprudently, to our people in this city, and throughout the country. I aided to the extent of my ability, in procuring for him here, patronage as a teacher. As a means of enlarging the sphere of his influence, and usefulness, I sought for him, and successfully, the pastorship, then vacant, of the Second Church in this city. And when in that office, he so signally failed, as some of you know, and thought it necessary to remove his membership, no one lamented all this more than I did. You sympathized with him, and kindly, but unfortunately received him back into this church.

Pardon if you please, another series of facts in relation to Mr. Graves With other brethren of this city, I labored, as some of you here present can bear me witness, for thirteen years most assiduously, to originate, and establish a Baptist newspaper, for this state, and the South-West. This paper, I myself edited during all that period, and for the whole of this thirteen years' work I received not one cent of pecuniary compensation. I thought myself amply paid in the good which the paper accomplished for the cause of Christ. I also toiled with others faithfully to originate a Baptist Bookstore here, from which our people could obtain such books as might be useful in the defense, explanation, and diffusion of true Baptist principles. Our success was, under the circumstances, remarkable. Very many of the best works of approved authors, were distributed through the city and country. When these enterprises had both been at length achieved, and placed upon a sure footing, having in my mind the example of Dr. Mercer, of Georgia, I made a donation of the paper, which was my individual property, to the General Association of Tennessee, and co-operated with that body, in placing both the paper and the bookstore in the hands of Mr. Graves, and of his then partner in business. The paper when it left my hands was free from debt. It owed no man one dollar. Nor did Mr. Graves, nor did his firm, nor did any one else for him, or them, pay for it a single dollar. These facts may seem strange to brethren who have seen the statement so frequently of late repeated in the Tennessee Baptist, that it was at that very time, five or six thousand dollars in debt! At one time it is declared that the paper was in debt when it left my hands five thousand dollars; at another six thousand, and at another enough to "sink four such papers." All this is asserted in its columns, when Mr. Graves must have known that it owed no man a cent. Should Mr. Graves deny the truth of this statement, I shall bring such proofs of its truth as no man in this city will ever dispute. We made the paper without debt, a gift, and we gave our books at prime cost, to Messrs. Graves and Shankland, in the hope that under their management the former as editor, and the latter as a business man, the cause of Christ would be materially strengthened, and advanced. In this hope, alas, how melancholy has been our disappointment. Little did we then think that this paper and bookstore were to be perverted to mere private ends, and to be employed to distract, divide, and destroy the churches, and people of Christ!

And still another series of facts ought here to be recounted. Mr. Graves being at that time, a comparative stranger, and it being seriously, and perhaps justly, apprehended that a consequent natural want of confidence in him, on the part of our people, which doubtless would have been felt towards any other man they did not know, might prove detrimental to the interests of the paper, I introduced him to its readers, and continued to speak of him in its columns, in terms of high commendation. I also continued with him, as one of its editors, for months afterwards, and still as he well knows, without a cent of compensation. I soon began to fear that in these arrangements we had made a serious mistake. In the style, and spirit of his editorials, I was greatly disappointed. I did all I could, but ineffectually, to soften, and direct them into the channel of Christian courtesy. I failed totally. Mr. Graves did not choose to defer to my opinion. When I could no longer endure their harshness, and belligerency, I left finally, the editorship of the paper, still hoping for the best, but without one word of valedictory to its readers, lest I might thereby injure its circulation. In this way, and it may be said without any self laudation, I

contributed in no small degree, to give Mr. Graves popularity, and influence, in Tennessee, and the South-West. To you brother Moderator, and not a few others here present, who were then my coadjutors, all these facts are well known. And I appeal to you, and the whole church to say, whether you had not, and the church, and I had not therefore a right to expect from Mr. Graves a conduct towards us, very different from that which he has thought proper to pursue. He ought to have felt some gratitude. He ought at least, not to have pursued us with such relentless, and persevering hostility. I regret the necessity of detailing these facts, and submit to it only because they are necessary to a just, and proper decision of the case now before you.

In April 1850, I left Tennessee, and returned to Virginia, where I confidently expected to remain, and to terminate my earthly labors, among the scenes of my childhood, and the friends of my early days. This church seemed very desirous that I should again return, and resume your pastorship. The church knows what at various times, you did in this behalf. I declined a first call, and a second call. I did so for several reasons. My family is very large, and expensive, and cannot be transferred from one city to another, especially if distant from each other, without heavy cost, and labor. I have ever been opposed to frequent pastoral removals. They are in my judgment, serious evils, and to be avoided whenever it is possible. I was greatly prospered in my church in Richmond. That church was very large, and flourished abundantly. The Lord had there wonderfully succeeded my labors. It was my purpose not to return to Nashville, notwithstanding the advice of many brethren who thought I ought to do so. My designs were all providentially changed, and in the following manner: In May 1857, I was a member of the Southern Baptist Convention held early in that month, in Louisville, Kentucky, and I took that occasion to visit this church, on my way home. I did this not only to gratify a long cherished affection, but also and especially to aid the church as far as I might be able to do so, in procuring the services of a suitable pastor. During my stay, which continued three or four days, I was appealed to in such a way as that I became impressed with the conviction that it was the will of God that I should return, and that duty therefore demanded my compliance. I consequently accepted the pastorship, which was a few days afterwards again offered, and returned to my old and loved field of labor, in which I had previously spent sixteen of the best years of my life.

We now approach the period in your history which originated the present state of things. Certain givings out in his paper indicated very plainly that my return to Nashville was distasteful to Mr. Graves. I believed however that I could overcome his dislike. I made it a point, for many reasons, to exercise towards him all kindness, mingled with affectionate candor. I knew his belligerent propensities, and determined to give him no pretext for assailing me. I assured him that though not a Landmarker in his sense, I cared nothing for Landmarkism, one way nor the other, provided those who held the doctrine made no disturbance about it, and that he must know that on that subject every church has a right to do as it pleases, without being called in question; that I wished well to his Publishing House, and would seek its interests, provided always that I must oppose several of his books, which I believed to be unscriptural, and I thought their circulation among our people an injury to truth, and piety; that I disapproved the style, the spirit, and much of the matter of his paper; that these were my candid views, but that I should not attack *him*, and hoped that he would not attack *me;* that we could work together, and I trusted we should do so, since we were together in this city, members of the same church, and the cause demanded our co-operation. All this in a late paper he confesses I said to him, and substantially avows that he placed no confidence in either the sincerity, or truth of my statements. I noticed at the time, that to all I said on these topics, he listened for the most part in silence, and with the appearance of the incredulity he has since expressed. Various other essays which I made to secure his kind feelings, were, I am sorry to say, equally unsuccessful. The price of his favor was evidently entire submission to his views and purposes.

The omens were unpropitious, but we nevertheless proceeded together as harmoniously as I expected until the meeting of the Sabbath School Convention in this city, in October of last year. In that meeting we

divided in opinion on, so far as I know, a single topic only. With I know not how many other brethren of this, and other churches, I concurred in sentiment. We favored at the time, the organization of a Southern Baptist Sunday School Union, provided it could be done with the concurrence of the whole South; we thought such an organization needed to have in charge the general direction of that important department of our interests; we believed that it would do good in devising measures, and securing the means to send out, and sustain Sunday School agents, and colporteurs; we maintained that we wanted more, and better Sunday School books than we now have; we opposed only the organization of a Board in this city, charged with the special duty of procuring the writing and publication of Sunday School Books. We did so for reasons which I shall present to your view more fully hereafter, but especially because we have already in the South, and sufficiently convenient to this city, an able and efficient Board, to whom the churches throughout the country have entrusted this identical work, and an attempt now on our part, to supercede that Board by the appointment of another, and that too, without consulting our brethren in other States, would be alike illiberal and unjust. I myself, suggested to him, that it would not meet the approval of our brethren generally, and that if he insisted upon it, he would, since he is a publisher, be suspected of being influenced by interested motives, disavowing mean time, the imputation of any such motives myself. I assured him that in my opinion, *his* honor demanded that he should take the same ground that we did in relation to the organization of that Board; that as his pastor, I would for his sake, if for no other reason, take the ground I then held; and that I hoped for the sake of the union, and harmony of our people; in deference to the courtesy due our brethren elsewhere; and for his own sake, he would give up the appointment of that particular Board. In all this we were sincere, disinterested and kind. Our purpose was to conciliate all parties, and to secure the continued harmony of our brethren in every portion of our Southern Zion. It did not then occur to me that in using these arguments I should, or could lay myself liable to be assailed, as I have been, with so much bitterness, and violence, as seeking to injure his private business, or to do harm in any way to his Publishing House. I envy no man his prosperity. If Mr. Graves has made a handsome fortune already, and I am assured that he has, I should but the more rejoice in his wealth if gained honestly, and honorably. On these, and other similar topics, I in my simplicity, supposed myself to be above suspicion. Nor, it now seems to me, could Mr. Graves himself, have thought, or charged as he afterwards did, that in all this, we were covertly seeking to overthrow his Publishing House, and to destroy his private business, if he had not believed that the organization in this city, of that particular Publication Board, was to contribute materially to the building up of his Publishing House, and the success of his private business. Of late, as you well know, he boldly affirms that our object was to deprive him, and his family of their bread. How could this construction be placed upon our action? Does his bread and the bread of his family depend upon the overthrow of other interests? I hold that he does not deserve to succeed in business, who acts upon the principle that to build up himself he must overthrow and destroy his neighbor.

We certainly, in all we did and said, intended no discourtesy, much less offence, to any one. Nor, for several months after that meeting, did it seem that we had harmed either Mr. Graves, his Publishing House, or Mr. Dayton. Our relations, abating some rude assaults upon Mr. Hillsman, in which he implicated my integrity, continued much, as they were before, up to about February of the present year. Meantime nearly all the Baptist papers, in the whole South, and Southwest, had expressed their opinions on these questions; and while they fully sustained the correctness of our conclusions, decidedly condemned those of Mr. Graves, and his partisans, and especially, as to his *Writing and Publishing Board* in this city. At this point, it was, that he commenced, with violence, his public attacks upon us, generally, and upon me particularly, which make up three of the five counts in the charge now before you; and all of which you are, as a church, now called upon faithfully, and impartially to try, and decide, according to the word of God. These transactions have all occurred among you. To you, and to you only, is Mr. Graves amena-

ble for his conduct. You, according to the teachings of the Divine word, are the judges, and the only scriptural judges of the law, and the facts.

Adhering to the course, which, at the beginning, I had prescribed for myself, I persevered in refusing to have any newspaper controversy with Mr. Graves, or any one else, on these or any like issues, involving individual honor, or integrity. I did not respond to a single one of all his numerous assaults, nor have I up to this hour, given him any provocation, or answered him one word, either in his own, or any other paper. Indeed, I cherished for months, and so did we all, the hope—alas, that it was so futile!—that he would, himself see his errors, and if he did not return to a better mind, and voluntarily do me, and the other brethren involved with me, justice, he would, at least, not press these attacks to a rupture of church fellowship.

As his pastor I continued to visit, and indeed to give special attention to him, and his family. With him personally, however, my interviews became gradually, more and more restrained, and at last were always painful. They were *suddenly terminated* by his *publication, in his paper, with misrepresentations, and perversions of two private, confidential, and unreserved conversations*, which had some months before occurred in his office, in this city. In the Tennessee Baptist, No. 23, dated February 13th, 1858, Mr. Graves says:

"A short time before the Convention, Bro. Howell was in the city office, when we remarked we supposed he had drafted a constitution, &c., to be presented when the body met,"—the Sunday School Convention. "He replied that his time had been so engaged, that he had not, and requested us to draft one. We said, certainly, we had plenty of time of course, *having so little to do!* We added, that it devolved upon, and would be expected of him, owing to the position he had taken. He knew better than any one. I suggested that if he could not find time, he had better ask brother Dayton to draft it, as he was one of the movers." "Brother Howell then requested us to draft a suitable constitution, which we did."

And further, in the Tennessee Baptist, No. 24, dated February the 20th, 1858, Mr. Graves says:

"Brother Howell" "will doubtless remember that some months since, he was present in our office, when an order came from that Society, [Southern Baptist Publication Society,] for certain of our books, provided we could send them within a certain time, at forty per cent off from our catalogue prices. This led to some inquiry, why his books were not on sale with us, and more generally circulated in Tennessee. The reason assigned was, that we could not afford to give our books at forty per cent off, in exchange for his at twenty-five, or even at thirty-five per cent. We would delight to meet them on equal terms; but to demand so much more for their books, than they are willing to give for ours, was, in effect to forbid us to engage in their circulation. He suggested, that we send back an order, worded precisely as theirs was, only substituting the titles of his books, for those ordered from us, and intimated that he felt it was doing him an injury for their own advantage, thus to lock up his valuable works from a large, and generous circulation. At least those present, who heard the conversation, understood him to intimate this. He did not indeed, *charge* it in direct terms, nor say that he supposed others would do so.' But he remarked with a peculiar cast of his head, and a very meaning smile, that 'He was a native of North Carolina, and the people of that State prided themselves upon their sagacity, at least in one particular, and *that is, that* they always know a gourd when they see the handle.'"

Now this statement of these two conversations, is not *wholly* false, although a large part of it is false. Conversations, and on these topics, were had. They were free, unguarded, confidential, and having *occurred soon after my return* to this city, were in the unreserved style in which commonly friend talks to friend. But Mr. Graves' version colors, perverts, adds to, and diminishes from them in such a way, as that they make an impression which is *utterly false*. To publish at all, without the consent of the parties concerned, private, and confidential conversations, is a violation of all the principles of honor; to publish such private and confidential conversations, with perversions, and falsifications, is grossly immoral, and unchristian; to publish them with the design to do injury to the person concerned, catching up his words carelessly dropped in free conversation, where no caution, or reserve, is thought necessary,

and parading them with these falsifications, and perversions, in the newspapers, is conduct which I do not choose to characterise. In this manner had Mr. Graves demeaned himself towards me, again and again. The next day after the publication of the second of these articles, I met Mr. Rogers, a member of Mr. Graves' Firm, and frankly told him, that I could not again visit the office of the Tennessee Baptist, that I was afraid to do so, since what I said there in free conversation, and on subjects, no matter how delicate, had by its editor, been caught up, and, in violation of all the principles of honor, and greatly to my prejudice, published in his paper. After this, how, brother Moderator and brethren, could I have, with Mr. Graves, even social, but especially christian, and ministerial inter course?

These attacks upon me I perhaps felt the more keenly, because of my relations to him in past time; as well as from being a member of the same church, and, also, his pastor.

During five or six years past, Mr. Graves has been engaged in attacking, abusing, and defaming brethren of high character, throughout the country. Specifications of these facts, constitute one of the counts in the indictment now before you. His assaults upon me, were but an aggravated instance of his general conduct. Nor in this church, were these onslaughts confined to his pastor. They were equally furious against certain members of the Bible Board, who are, also, members of this church, as brethren J. D. Winston, Fuller, Jones, C. K. Winston, Darden, S. M. Scott, Nelson, Bang, and others. These facts, also, form one of the specifications of the charge against Mr. Graves. At the same time commenced, also, his efforts to divide this church, so plain in their design, and pursued with so much perseverance, another of the counts in this indictment. I foresaw, therefore, with alarm, that Mr. Graves was inevitably precipitating a crisis, which must end disastrously either to him or the church. I was the object of his defamations. So, also, were many of you. The greater part of you felt yourselves outraged by Mr. Graves' conduct.

But Mr. Graves, in the extraordinary course, which he last night thought proper to pursue, declares that all this is a private and personal matter, between him and his pastor, and since his pastor did not go to him, and privately state his grievances, according to "Matt. 18," that the charge is illegally brought. On this false ground, he denounces you as a faction, affects to withdraw from the church, and to escape the exposure of his guilt, which his trial will certainly develope, he declares himself, and his few partisans here, twenty-five perhaps, the church, and refusing to be tried by you, calls upon them to try him! Mr. Graves cannot be ignorant of the fact, that the issue is not a private personal one between himself, and his pastor. The charge, the counts, the specifications, were all in his hands; he must have known the contrary to be true. As additional proof, I refer you to the facts, that in the paper which he read, and called his protest, he after taking this ground abandons it by assuming other, and opposite grounds. He claims that he is the injured party, and that too by his pastor. His pastor, he told you, had never extended to him the courtesies due to a brother minister; he had not called on him to preach, or to act prominently in other devotional meetings. Why the pastor thus conducted himself, you very well know. But if Mr. Graves was aggrieved, why did he not come to me as required by the law in "Matt. 18?" So in the other cases, one of which was my opposition to the appointment of his Publication Board, and the other was my letter to the Index, in which I disapproved two or three of the books published by his House. If these were private personal matters as he alledges, why did he not come to me privately, as the law directs? Will he claim that he "*waived his right*" to do so, and attacked us in his paper, and thus devolved the duty on me? Brother Moderator you, and the church, well know that Mr. Graves durst not "waive his right." The law is imperative: "If thy brother trespass against thee, go and tell him his fault between thee and him alone." Had Mr. Graves a "right to waive" obedience to the law of Christ? Surely not. And when he did so, and attacked you, and me, and the rest of us, stirred up strife, sought to divide the church, libelled and defamed us, and published numerous falsehoods, was it still a private personal matter between him and his pastor? Is it a private personal offence, to seek for six months, in public newspaper articles, of the most inflammatory character, to put two ministers at variance—the first

count in the charge? Is it a private personal matter between him and his pastor, when he uses all public, and secret means, for six months to divide the church, and if possible overthrow and destroy it?—the second count in the charge—and now has as some of you witnessed last night, actually divided the church. Is it a private personal offence between him, and his pastor, when he has publicly, and week after week, in numerous instances, transgressed the law of Christ by libelling that pastor in his newspaper?—the third count in the charge. Is it a private personal matter between him and his pastor, when he slanders, abuses, and defames brethren of high character throughout the country?—the fourth count in the charge. Is it a private personal matter between him and his pastor, for him to utter, and publish numerous known and deliberate falsehoods?—the fifth count in the charge. All this Mr. Graves has the face to assume, and pretends that he has by "waiving his right" to call upon me, relieved himself from all responsibility, and made it my duty to go to him privately; and because I did not, that all your proceeding in his case are illegal; that you—three hundred of you—have become "a faction," and Mr. Graves, and the twenty or thirty persons whom in the division he has effected, he has carried off, (most of whom have been, or are now, directly or indirectly, connected with his newspaper, or his Publishing House,) constitute the church! And on what grounds do these partisans sustain Mr. Graves? The charge is grossly immoral and unchristian conduct. Do they sustain him in this? Certainly they do. Nor do they, nor does he, attempt to controvert this proposition. They do not deny his guilt. They only insist that the charge has not been brought in a scriptural manner! They break off from this church to sustain J. R. Graves, and to sustain him in grossly immoral, and unchristian conduct. Need I argue these questions before you? No, certainly. You all cannot but see that his positions are preposterous, and absurd. His offences were open, public, notorious, and had become a scandal, and reproach, throughout the whole city, and indeed, the whole country. How could any private interviews of mine with Mr. Graves, have healed the wounds he had thus publicly, and persistently inflicted upon you all, and upon the cause of our Lord and Saviour Jesus Christ, here, and elsewhere?

But I return. Thus matters stood on the 3d day of April last. The series of meetings held in the Spring, which continued about three months, and which the Lord so greatly blessed, had then been in progress some weeks. *Mr. Graves had not been seen at one of them.* It was announced on the previous night, that on Saturday night the pastor would not be present. On that very night, Mr. Graves made his first and last appearance in our prayer-meetings during the revival. Mr. Scovel, and probably also, Mr. Shankland, both partisans of Mr. Graves, went to him as soon as he came in, and insisted that *he* should lead the meeting. They, however, waited until Dr. C. K. Winston arrived, who had previously promised the pastor that he would take charge of the services. They then stated to him what they had done. Dr. Winston himself introduced and continued the exercises for some time, and then, as requested, in the kindness of his heart called upon Mr. Graves, who had not the modesty to decline, but to the utter disgust of nearly all present, took a very prominent part. Indeed, some who went forward for prayers that night, were so shocked that they never did so afterwards, and have not professed religion to this day. The pastor felt this conduct most keenly, and when, at 11 o'clock at night, he heard of it, he immediately wrote Mr. Graves a note, expressing under strictly private sanctions, his strong disapprobation of his conduct. The next morning, before I had an opportunity to send it, Rev. Dr. J. H. Eaton, of Murfreesboro', came into my study. I showed the note to him in confidence. Dr. Eaton objected to some things in it, and consented to write one with which nobody could find fault. He did so, and I adopted it, copied it, and this is the note which was sent to Mr. Graves. The note was as follows:

STRICTLY PRIVATE.

SATURDAY NIGHT, 11 o'clock, April 3, '58.

Rev. J R. GRAVES: Sir—

I have just been informed that you took the occasion of my absence to-night, to take a prominent part in the prayer-meeting. This you must have known, was unpleasant and displeasing to most of the members present, on account of the course you have pursued

towards me, their pastor. I hope you will not repeat it until you shall retract the charges [you have set forth] against me, as publicly as they have been made. I am pained to feel under the necessity of writing such a note as this, to one who is a member of the church of which I am the pastor. But duty compels me.

Yours, R. B. C HOWELL.

This note assumes, as will be seen, that Mr. Graves' conduct towards me, had for months been such as to make it a public scandal, and to destroy all confidence in him; that his attempting, under such circumstances, to lead the religious exercises of the church was, as he must have known, offensive to most of its members; and that until he had done the pastor justice, it was hoped that he would not again attempt in this way to make himself prominent. This expression of my feelings was, however, communicated to him under the sanctions of *strict privacy*. The fact that some of my deacons had invited him to participate in the meeting, was not known to me at the time of writing this note. I state them in deference to them, and not as, in the least, diminishing the indelicacy and impropriety of a compliance, on the part of Mr. G., with their request. No one but Dr. Eaton knew anythig in relation to it, nor would he have known, but for the desire to have counsel on the subject. The conduct of Mr. Graves in regard to this note was characteristic. Instead of acting as a Christian gentleman would have done in such a case, considering its contents and treating them in a Christian manner; if offended, coming to his pastor and speaking on the subject with him privately; he, the very next morning (Sunday) and instantly upon its reception, showed this "*strictly private*" note at church, and partly in my presence, to as many apparently as he could approach, before service, and stood upon the front steps showing it, as I am credibly informed by persons who saw him, to such as passed in, until the preliminary services were over, and the sermon was commenced. Since then I have heard of this note from every part of the country. He used and misrepresented it, effectually to inflame and agitate the brethren everywhere. Was he aggrieved by this note? *Why then did he not come to me with it, as directed in Matthew* 18? That law must govern *others*, but it does not govern *him*. Lately this note has been published with false glosses in his paper.

On the day following, I received a letter, which, from the hand-writing on the outside of the envelope, I was assured was from Mr. Graves. I was greatly at a loss as to what I should do with this note. It was impossible that I could now with any propriety receive it, for the same reasons that I could have no conversations with Mr. Graves, except in the presence of witnesses. These reasons are as follows:

In the first place, Mr. Graves had in February last, two months previous to the date of this note, *published* (as before stated) *in his paper*—the former, Feb. 13th, the latter Feb. 20th—*two private and confidential* conversations, which had occurred in his office, one in August, and the other in October of last year; and what is still worse, he published them with such mutilations, perversions, additions, and falsifications, as that the impression they made upon his readers was wholly false.

In the second place, Mr. Graves had violated every principle of honor and religion, by the public use he had made, the very day before, of a note which was "*strictly private.*"

In the third place, Mr. Graves' conduct in his attempts to divide the church, in his assaults upon its members, and its pastor, and upon many brethren abroad, was such as that the church felt that it could not much longer be endured. No such letters or interviews could then heal the breach that he had made. That could be done, if at all, only by his voluntarily retracing his steps, and himself applying the true remedy.

In the fourth place, what security had I that any private notes or private conversations that might be permitted, would not again appear in his newspaper, with falsifications and perversions, as others had before, as soon as Mr. Graves found that it could be done to promote his own interest, or to effect my injury?

In this state of the case, what was I to do with this letter? I honestly concluded that it was best to send it back to Mr. Graves *unopened*. I did send it back unopened. Possibly I ought not to have returned it. Certainly if I had been prompted merely by policy or a desire to maintain my influence with many Baptists of the South-

West, I should have read and retained his letter. But it seemed impopssible for me to have any direct personal correspondence with him without a certainty of increasing our difficulties, and for the same reasons that I could have no private conversations with Mr. G. without witnesses. Hence I had decided upon a correspondence through a committee as the only hope of a reconciliation. This note, it seems, contained among other things, a solicitation of a private interview. I, however, then knew nothing of its contents, nor were they in any way, verbal or otherwise, revealed to me until three months afterwards, in the correspondence which then occurred.

A short time after these events had transpired, I had in the presence of Rev. R. Ford, and Dr. C. K. Winston, a conversation wtih Mr. Graves' friend and adherent, Mr. A. B. Shankland, in which the matters in question were freely talked over, and my views clearly expressed. I told Mr. Shankland that it was not my province, according to the divine law, to make any proposition to Mr. Graves. Mr. Graves had done the church, the brethren and the pastor, great injury, and that no fellowship could ever be extended to him, until he had done them justice. Mr. Shankland was understood to say that he would look into the affair, and try to induce Mr. Graves to correct the wrongs he had committed. The matter was left in the hands of Mr. Shankland. What he did, or whether he did anything more than receive some informal propositions from Dr. Winston, and present them to Mr. Graves, I know not. Here, for the time, the matter rested. Three months passed, and nothing was heard from Mr. Graves. Great reluctance was felt to bring Mr. Graves before the church, numerous and aggravated as were his offences, on account of his peculiar position, and relations as a professed minister of Christ, as editor of the Tennessee Baptist, and especially on account of the excitement among his heated partisans in the country, that such a measure was likely to produce. You were, therefore, slow to act, and were anxious to avoid it. It would have been easy for Mr. Graves, had he desired it, to have placed himself in a proper scriptural position in the church.

And now I beg leave to call your attention to *still another* series of facts. If an arrangement between Mr. Graves and myself would not have obviated all further disciplinary action, why did I institute any proceedings on my own account? My answer is that, in my opinion, such a proceeding would not have *retarded* that result; it would doubtless have facilitated a peaceful close of these excitements. *All hope* had not then been abandoned that Mr. Graves might be brought to a better mind, and yet be induced to act the part of a christian. At any rate, the measure was believed to be worthy of an experiment. But however this might turn out, I confess that I felt an unconquerable repugnance to having my name connected with the proceedings of any church trial of Mr. Graves, or any one else. I earnestly desired some movement that might prevent it, and sought to obtain my end by the means which I will now state. I addressed to Mr. Graves the following note:

NASHVILLE, July 19, 1858.

REV. J. R. GRAVES: SIR:—

Conceiving it improper longer to permit your personal newspaper assaults upon me and other serious offences to pass unnoticed; and sincerely desirous to avoid the necessity of bringing them for its action before the church; I make this essay to terminate the affair [as to myself] by private adjustment. I have to say that brethren C. K. Winston and C. A. Fuller, will receive and act upon any communication, which through two brethren appointed by you for that purpose, you may think proper to make.

Respectfully, &c.,
R. B. C. HOWELL.

This note was delivered on the next day, the 20th of July, and a prompt answer promised by Mr. Graves. On the subsequent morning, July 21st, the following was received:

July 20, 1858.

CHAS. FULLER:—

I have left my response to the note you handed me this morning, in the hands of brothers Scovel and Creighton, who will confer with you and brother W. to-morrow.

Respectfully, J. R. GRAVES.

Thus did Mr. Graves, by naming two brethren to act for him, recognize the official position of those brethren, and fully

endorse the scriptural character of the proceedings up to the 20th of July last, which he so soon after repudiated, and now so earnestly denies. Nothing, however, was heard from Messrs. Scovel and Creighton. After waiting several days, the following note was addressed to them:

NASHVILLE, July 24, 1858.

H. G. SCOVEL AND G. C. CREIGHTON:—

Brethren: On Tuesday last I received a note from J. R. Graves, stating that he had placed in your hands his response to a note I delivered to him on the same day, from Rev. Dr. Howell, and that you would confer with brother C. K. Winston and myself, on the next day. Not having heard from either of you, I wish to inquire when the note above alluded to, as from Rev. J. R. Graves, will be presented, and what time will suit you to meet with Dr. Winston and myself. An early reply to this note is solicited. Respectfully,

CHAS. A. FULLER.

No written answer was returned to this note, but a meeting of the parties was procured, when the following was presented from Mr. Graves:

NASHVILLE, July 20, 1858.

ELD R. B. C. HOWELL:—

Dear Brother: Yours of the 19th inst. has just been received, and I reply promptly.

I regret most deeply the present unhappy alienation of feeling that exists between us, and the causes that have produced it, and I assure you that I am ready to do all in my power to remove both.

You cannot doubt this since, in my letter to you dated April the 5th, (which was returned without answer,) I used this language:

"Bro. Howell, your course towards me has grieved me, and I wish to meet you in private, to converse with you as one brother should with another. Will you grant me the meeting? If so, what afternoon or night next week? Or when?

I again renew this request, confident that if we are what we profess to be, *christians*, we can meet, and without the assistance of others, in the spirit of our Master, settle all our differences.

If I have wronged you, I entreat to be convinced of my wrong doing, pledging you that I will so far as possible, repair the wrong; and may I not hope that you will seek to amend the injury that your course has tended to do me as a minister, and a christian brother?

You can indicate the time of this personal interview to me, in a note, or if you prefer it, through brethren Scovel and Creighton.

Respectfully, &c.,

J. R. GRAVES.

P. S. I see by a copy of the correspondence that has passed between brethren Shankland and Winston, that a misunderstanding exists as to the manner in which you propose to conduct our affairs towards a settlement. I cannot understand the peculiar mode sought by you, either from Dr. W.'s letter, or from your own.

I know of only one proper course for *christians* to pursue, and that is clearly laid down in Matt. 18. If you claim that I have injured you, either privately or publicly, you should seek not to *punish* me by ecclesiastical censure, but in a brotherly spirit, to bring me to see, and repent of my error, as Christ has commanded.

You certainly would not propose to me a different plan for my acceptance, &c.

J. R. G.

This paper seemed to me to be of an extraordinary character, for several reasons, which are as follows:

1. The correspondence between Dr. Winston and Mr. Shankland simply demanded that Mr. Graves should withdraw, and disavow in his paper the false charges and injurious imputations against me which he had made in that sheet. This seemed to me "the proper course for christians to pursue."

2. Mr. Graves assumes that I knew what was contained in that letter which I sent back unopened, and argues accordingly. I knew nothing of its contents, nor was its substance reported to me verbally.

3. Mr. Graves had wholly disregarded the law of Christ as recorded "in Matt. 18," and by his incessant assaults upon the church, its members, and its pastor, continued for now six months, had lashed the whole country into intense excitement. The church very well knew that under the circumstances the law for its government is laid down in the 5th chapter of First Corinthians. It was necessary that she should thus vindicate herself from the odium fixed upon her by Mr. Graves' disgraceful conduct.

4. Mr. Graves affects to be unconscious

of having done me any injury, privately or publicly, and entreats to be convinced of his "wrong doing."

5. He insists upon meeting me in private, to converse with me when he knew that he had before, on two several occasions published in his newspaper, with falsifications and perversions, such private and confidential conversations, and had publicly exhibited a private note.

These and other like considerations induced me to place this letter in the hands of Messrs. Winston and Fuller, to whom, according to Mr. Graves' own arrangement, it should have been originally directed. They then addressed to Mr. Graves' friends the following note:

NASHVILLE, July 29, 1858.

H. G. SCOVEL AND G. C. CREIGHTON:—

Brethren: In brother Graves' note of the 20th inst., he quotes from a letter formerly addressed to brother Howell, to prove his (Graves') willingness to adjust the difficulties between them, and also that brother Howell knew that fact, which was stated in the letter referred to. We remark that brother Howell never opened this letter, but returned it just as it was received, only substituting [on the outside] brother Graves' name for his own. He could not therefore know the fact to which brother Graves refers.

It seems to appear from brother Graves' note that he does not understand the plan upon which brother Howell proposes to proceed in the adjustment of their difficulties, which plan was specifically stated by Dr. C. K. Winston, in his note of the 12th of July to A. B. Shankland, as also in the note of the 19th instant to brother Graves. We are authorized to say that brother Howell will do whatever is demanded by honor or religion; but that the plan may be definitely settled at once, he offers the following basis of settlement:

1. J. R. Graves is required to withdraw all the charges of an offensive and personal character, which he has made against brother Howell, which he (Howell) will specifically present, and in as few words as possible, in the same manner, and as extensively as he has made them, without note or comment.

2. R. B. C. Howell shall, on his part, withdraw all the charges of an offensive and personal character, which he has made against brother Graves, which he (Graves) will specifically present, and in as few words as possible, in the same manner, and as extensively as he has made them, without note or comment.

You will please convey this proposition to brother Graves as soon as possible, and secure from him in writing, or by his endorsement of this note, his acceptance or rejection of it.

We assure you of our sincere desire to settle this difficulty, and trust that this feeling will be reciprocated by you. If brother Graves rejects this proposition. we have none other to make, and here the matter as far as we are concerned shall end.

Yours truly, C. K. WINSTON.
C. A. FULLER.

This proposition was regarded as undoubtedly fair. The pastor required nothing of Mr. Graves towards him, that he did not offer to accord to Mr. Graves. It was reciprocal and magnanimous. And still more. I offered to do "*whatever is demanded by honor and religion.*" What more than this could I do? I was ready to do no less. Mr. Graves ought certainly to have accepted it. Did he accept it? The brethren acting for me placed in my hands the preceding correspondence, with the following final note·

NASHVILLE, August 16th, 1858.

REV. R. B. C. HOWELL:—

Dear Sir and Brother: To this letter [the last above] we have received no written reply, but at a subsequent meeting, brother Winston not present, we were informed no written reply was necessary, and understood from the conversation that occurred, that the proposition made in our last note was rejected.

Here our labors rested. We have since received no communications either verbal or written, from Rev. J. R. Graves, or the brethren named by him, and therefore conclude that there can be no further occasion for our services in the matter you submitted to our consideration.

Yours truly,
CHAS. K. WINSTON.
CHARLES A. FULLER.

Thus Mr. Graves refused to accede to any proposition whatever. Those made were

undoubtedly scriptural and right, and demanded by truth, brotherly love and religion. Madly bent upon his own desperate designs he would hear nothing, nor consent to any measure however reasonable or just.

These negotiations commenced, as will be seen, July 19th, and notwithstanding every effort to facilitate them, dragged on until the 16th of August, and at that point ended in utter failure. I made one more, and a last effort to screen Mr. Graves from this church trial.

About sunset on the afternoon of Sept. 8th, the night of the regular church meeting, Mr. Shankland incidently saw me as I was passing his office, and asked me if the charge would be brought that night against Mr. Graves. I told him that I did not know certainly, the matter not being in my hands, but supposed that they would be. Mr. S, asked me to interpose and prevent it, expressing, as his opinion, that Mr. Graves would yet do justice to the parties aggrieved. I promised him that I would speak to the brethren having the matter in charge. I did so. They, however, having lost all confidence in Mr. Graves' disposition to do anything in the case which would be right or scriptural, and their patience being utterly worn out, declined longer delay. The charge was preferred at the regular business meeting of the church in September.

What else could you do? The whole church was beginning to be reproached as upholding his conduct, and to suffer in public estimation as particeps criminis in his guilt. You could not disregard the divine law, enacted for your government in all such cases. It is recorded in the fifth chapter of First Corinthians, as follows:

"I verily, as absent in body, but present in spirit, have judged already, as though I were present, concerning him that hath so done this deed; in the name of our Lord Jesus Christ, when you are gathered together, and my spirit with the power of our Lord Jesus Christ, to deliver such an one unto Satan, for the destruction of the flesh, that the spirit may be saved in the day of the Lord Jesus." "Know ye not that a little leaven leaveneth the whole lump? Purge out, therefore, the old leaven that ye may be a new lump." "Now I have written to you not to keep company, if any man that is called a brether, be a fornificator, or covetous, or an idolator, or a railer, or a drunkard, or an extortioner, with sueh, no not to eat." "Do ye not judge them that are within?" "Therefore put away from among you that wicked person."

The original charge against Mr. Graves was preferred by two members of the church, John C. Darden, and Charles A. Fuller, who under an imperative sense of duty, preferred the charge with the first four counts; and S. M. Scott, and Anson Nelson, afterwards preferred the fifth. Mr. Graves ridicules these brethren and avers that they were employed by the pastor to bring them for him. You will know, brother Moderator, that they were not brought for the pastor, as before said, any more than for themselves, and the members of the church generally, who had been so long outraged by the conduct of Mr. Graves.

One more fact ought here to be stated. It is well known to you and others, that it had been the expectation if Mr. Graves would force the church to a trial, to move the reference of his case to a large and able committee, with instructions to call a Council, half of whose members should be named by Mr. Graves, to examine the case thoroughly, and report to the church for its action. Mr. Graves' partisans in the church meeting, however, especially Messrs. Scovel, Dayton, Creighton, and Rutland, earnestly repudiated all such committees, and inveighed against them as unscriptural and "inquisitorial." They required the case to come directly before the church. In compliance with their views, and apparently much to their satisfaction, the case was ordered as they wished. It was voted to entertain it; a copy of the charge and the counts, and specifications, (referring definitely to every proof relied on in the case,) was ordered to be placed in his hands; a day was set apart for the hearing of the case; and the clerk was instructed, officially, to summon him to be present and answer.

I have especial reasons, brother Moderator, for calling attention to the fact, and I wish it to be distinctly remembered here, and elsewhere, that Mr. Graves is not now arraigned before you for any errors he may have espoused, respecting christian doctrine, or polity, however unscriptural his sentiments may be; and especially is he not arraigned for his Landmarkism. Were he before you on these grounds, I should still insist on an able Council to assist you, however earnestly it might be opposed by Mr. Graves and his

friends. He is arraigned exclusively for grossly immoral, and unchristian conduct. He may seek, and I imagine he will, to make the impression that he is charged with other, and trifling things. Indeed he is already endeavoring to do this. You will, I am sure, hold him strictly to the issues before you.

It is very plain, from considerations already adduced, and still more evident from the recent tone, and style of his paper, that he intended to provoke you to the utmost, under the impression that no one would dare to charge him before the church, and if charged that he would be able to intimidate, and alarm you so as to prevent any effective action, while he would himself refuse to meet any of your requisitions. Of this, his conduct last night is, of itself, sufficient proof. In addition to those already before you, consider the following facts: About the time the private negotiations were pending, and before this charge was laid before the church, he published in his paper, articles, of which the following are examples: In the Tennessee Baptist of July the 17th, 1858, No. 45, he endorses an article from Rev. C. R. Hendrickson of Memphis, in which occurs the following passage:

One of your, (Graves',) bitterest enemies of Nashville, when in Memphis, said: "They, [this church,] could not take hold of you, so as to throw you out of the church; *they would like to do it, but could not.*" He adds:— "By the way, if that threatened attempt should be made, there would be such a howl of indignation throughout the Southwest, that the church in Nashville would think the day of judgment had come."

Nor is this all. In his said paper of July 17th, 1858, Mr Graves supposes a case to illustrate his own. He says:

"Now suppose that they, [*Mr. Dayton's* alleged persecutors,] as a last resort to ruin him, charge him before the First Church, and a majority should" "pronounce him guilty, and exclude him, who cannot see what would follow? Should he find a church that would give his case a hearing, and assisted by a Council if you please, prove him an innocent, and grossly wronged, and persecuted man, and give him membership, the Concord Association would take cognizance of the fact, and pronounce that one of the churches was in disorder. But right here would be brought in extraneous influences, personal considerations, and the whole transaction would be charged upon the Landmark Baptists, or the editor of the Tennessee Baptist, (as the late Sabbath School Convention was,) whose design was to divide, and make a party; and the division once commenced, who could foresee its end? Every church in Middle Tennessee, and North Alabama, would be forced to take sides, and the limits of the State would not confine it. Now this would be, should it take place, surely charged to the advocates of the Landmark policy, but who cannot see that the very innocence of brother D. (he doubtless means himself,) would be the real cause of it, i e, should the denomination be determined to sustain his innocency against his assailants."

But what are the evidences that they thought *your intimidation* easy, and that in the course of a few weeks, they had actually fully accomplished it? They are found in various considerations, but especially in an article in the Tennessee Baptist, No. 49, dated Augnst 21st, 1858, from the Junior editor, as follows:

"Brethren need not *fear* a church trial of either the senior, or junior editor, brother G. or D. There has been no charge against either of us. There can none be made that can be *sustained.*" "I do not believe that the brethren who have put in circulation the report that charges have been made, or will be made, *will dare to make any such charge.*" "There will be a great deal of threatening thunder in the passing cloud, but it will turn out to be only wind."

Such were the threats, and menaces held over you by Mr. Graves, should you dare to call *him* to account for his flagrant immoralities. All your pretences are "only wind." You "will not *dare*" to *arraign* him, much less to find him *guilty.* Do so, and he tells you beforehand, and to your face, what will be the results. He will make it a Landmark issue, and bring upon you all the adherents of that doctrine; he will apply to another church for membership, which will call a Council, give him admission, and pronounce him "a grossly wronged and persecuted man," and *your proceedings* shall thus be rebuked, and denounced; the *Concord Association* will, he confidently tells you, *call you to account,* pronounce you in *disorder,* and place upon you the bran of *excommunication; he will compel* indeed every church in Middle

Tennessee, to *take sides*, and if they are not all in his favor, he will *divide* them; nor will the limits of the State confine the division he will make. This is what he will do. Now bring your charge if you *dare!* Nor is this all. *Dare* to pronounce him *guilty*, and "*such a howl of indignation* will come up from all parts of the Southwest, *as will make you think the day of judgment has come.*"

At last, goaded beyond endurance, the charge is actually brought, and what do you now see? The Junior editor in his next paper, September 11th, laughs at the proceeding in an inflammatory, and bitter article, tells his readers that "the testimony referred to, was *nothing but some articles published in the Baptist Register, and Tennessee Baptist*, and *has long been before the world*, consequently not *private*, as is *now* contended, but *public* and notorious, but of no importance. They were *published*, and therefore *not sinful!* He then introduces a correspondent, who signs himself, whether truly or not, I can not say, but perhaps truly, since Mr. Graves is himself, "*A member of the First Baptist Church*," who writes as follows:

"It was with great mortification I witnessed at the First Baptist Church last evening, so strong a determination to carry on the work of distraction *by them so recently commenced*. They are bent upon doing *one thing*, which if they shall effect, *will ruin the First Baptist Church in Nashville. Yes sir*, the star of its hope will set; its candle will go out." The Lord of hosts will not permit his church to perpetrate so gross injustice against one of his servants; one that has *vindicated his truth*, as the editor of this paper has; without *purging her* with his *great wrath*."

Why all this bravado? What does Mr. Graves propose to accomplish by it? It is evident that his design was to intimidate the church and thus prevent it from entertaining the charge brought against him for his unchristian conduct. It is evident that from the first he was determined to give no satisfaction, but to prevent the church by intimidation from investigating the charge. The impunity you have for years past given Mr. Graves, permitting him to attack, maltreat, and abuse the best men in our denomination, unquestioned, and unrebuked, has rendered him bold, and reckless in his sinful course. And now when he finds that you will not be intimidated—that the church will no longer suffer him as a member to go on in his defamations of character, and other immoralities, thus bringing the cause of Christ, into reproach, and dishonor —he refuses to be tried by you, pretends to withdraw, and denounces you as a faction. You will of course not regard his movements in these respects, since the Savior himself apprises you that some offenders will act in this manner; they will as Mr. Graves has, "Refuse to hear the church." "If he refuse to hear the church, let him be unto thee as a heathen man, and a publican." The pretended "withdrawal" of Mr. Graves cannot effect the right of the church to proceed with the trial. The conduct with which he is charged is evidently within the jurisdiction of the church. But in proceeding with this trial, you should as carefully prosecute it, in all its parts, as if he were himself present, that if he is found guilty you may fully record, and place before the eyes of all our brethren, the true reasons why HE *is* to you, as a *heathen man* and *a publican*.

Pardon me brother Moderator, and brethren, for having detained you so long in these preliminary statements. They were necessary to a proper understanding of the subject, and to place you and me, and all of us, in our true positions in relation to this trial. I now proceed to the consideration of the first Count in the charge against J. R. Graves.

COUNT I.

The first count in the charge brought against J. R. Graves in this category, is as follows:

"We the undersigned, members of the First Baptist Church, Nashville, Tennessee, charge Rev. J. R. Graves a member of said church, and one of the editors of the Tennessee Baptist, with *grossly immoral, and unchristian conduct*, in that *he has sought to bring upon R. B. C. Howell, the Pastor of said church, reproach, and injury, and thus to destroy his character, and influence in the Southwest, by forcing him into collision with Rev. A. C. Dayton, late Corresponding Secretary of the Bible Board, and now one of his associate editors, through the publication in his said paper, of various false, and malicious representations.*

This count in the charge, made before you, after mature, and prayerful deliberation, by two responsible brethren, in behalf of themselves, and of the whole church, is of a most serious and important character. Is Mr. Graves guilty? Would to God he were not. That he is guilty however, is unquestionable. This fact I shall place in as few words as possible, beyond the reach of doubt, by full, and legitimate evidence, and in doing which I shall find it necessary to reproduce and review all the evidence that has been read before you.

The production within a few years past, of two volumes of *religious fiction*, entitled Theodosia, and which attained at once, an almost unprecedented popularity, suddenly gave to Mr. Dayton a reputation of the highest character. He found a warm place in the great Baptist heart. His praise was heralded throughout the land. This work evinced superior genius, and although as an *argument* greatly inferior to many others, and in some respects, especially in the second volume, seriously unscriptural, and objectionable, yet as "*A story of love and marriage*," it was exceedingly attractive. He was believed to be very far the most popular minister in all the Southwest. In this I rejoiced with probably as much sincerity as any other man, never imagining that this popularity was to become the instrument of *my* overthrow, and of your overthrow, and destruction. Mr. Graves it seems, wanted the means to put us down, and he readily imagined that if he could bring us into conflict with that overwhelming power, that we should be at once, and effectually crushed. The manner in which he attempted this work, has been stated in the count now before you.

The grounds upon which he essays to justify his false, and malicious publications against me in relation to Mr. Dayton, are *a speech* made by me in the Sabbath School Convention, held in this city, last autumn, and *a letter*, making some personal explanations, dated December 21st, 1857, and published in the Christian Index of Georgia. To *that speech* he has recurred in his paper often, and at great length, but he has not designated in it, nor can he designate, a single sentence, or word, which reflected injuriously upon *Mr. Dayton*, in any way, as a man, as a christian, as a minister, as an author, or as Corresponding Secretary of the Bible Board, of the Southern Baptist Convention. The truth is I did not in that speech refer to Mr. Dayton at all. He was not in my thoughts. In *the letter* in question, and that contains every word that I have ever published on the subject, any where, or at any time, I made two statements of *facts* which were certainly not very reputable to the parties concerned. *The first* was the declaration by Mr. Dayton, in the newspapers, *before* it assembled, that the Sunday School Convention was called at my instance, and his statement in the same newspapers, *after* its adjournment, that it was called *by him*, and *Mr. Graves*. *The second* was that they had concealed from me their purpose to avail themselves of that Sunday School Convention, to inaugurate a new Publication Board in the South, to be under their direction. Still the whole letter was written in kind language, and assuredly with the best feelings towards all concerned. Before I introduce Mr. Graves' gross, and criminal assaults founded upon it, I will refer to several other facts necessary to be known, in order that this subject may be fully understood.

He charges as one of my chief offences, that in the letter in question, I had implicated Mr. Dayton as neglecting his duty as Corresponding Secretary, to write books, which he vehemently denies, and pronounces it a foul, cruel, and unjust imputation upon the Secretary. What shall I say to all this?

Mr. Graves knew, since he had been a member of it from the beginning, that the Bible Board about the time of its organization, adopted a resolution requiring the Corresponding Secretary to devote his *undivided time* to the duties of his office. He further knew that he had himself then recently stated that the same *Corresponding Secretary* was busily engaged in preparing *a series* of books for publication. The proof of this fact is before you. In his Register for 1858, then before the public, on the cover inside, fronting the title page, under the head of "Southwestern Publishing House," we have this notice of "New Books to be published in 1858:"

"The Infidel's Daughter, by the author of Theodosia,

To be ready by the first of March.

Nos. 1 and 2 of a series of Baptist Sunday School Question Books, by A. C Dayton."

In his paper he said, if I mistake not, that these Sunday School books the Secretary would have ready, and present them to the Union at its approaching meeting to be held the coming April at Americus in Georgia. He could not help seeing that I, or any one else, would naturally, and involuntarily, couple these two facts together: the prohibition of the Secretary from devoting his time to any other than the business of his office, and the fact that he was devoting his time largely to writing books for Mr. Graves—he himself having announced that in a short period he would furnish him *three* volumes—and that the inquiry would arise, as a matter of course, whether in *this case*, the Bible Board, if its claims were regarded, would not *demand to be consulted*, and that *its consent* should be had, before Mr. Dayton could justly, according to his contract with that Board, give so much of his attention as the work indicated would certainly require, to the preparation of these books. I did not object to his writing the proposed books. Probably the Board, had it been consulted, would not have objected. This however was not certain. I did not in the letter referred to, nor anywhere else, even allude to any book, or tract, or article previously written by Mr. Dayton. My objection so far as as appears, was not to any book that he had published, or might publish. In all that I said, and wrote on these subjects, I spoke of Mr. Dayton only in the most, respectful and courteous terms. This is the whole amount of my offence against Mr. Dayton. Nothing else so far as I know, was *then*, even pretended.

Mr. Dayton himself did not at that time, seem to think himself grievously offended. I arrive at this conclusion from the fact that subsequently, as previously, he associated with me, in my own pulpit, and out of it, and so far as I knew, or suspected, freely, and affectionately. It did not occur to me that I had ever given him reason to feel, or act otherwise. And this state of things continued up to the period at which Mr. Graves' inflammatory articles began to appear. Since that time, Mr. Dayton has been wholly another man. He has abandoned our congregation, our prayer meetings, and other religious assemblies. He has kept at a distance from me, and evidently avoided us all whenever it was practicable to do so. With these facts distinctly before us, we proceed to the specifications and proofs of the charge before us.

FIRST SPECIFICATION.

In the Tennessee Baptist, No. 23, dated February 13th, 1858, Mr. Graves says:

There is manifestly a systematic attempt to cripple down the Secretary of the Bible Board, on the part of Anti-Landmark men, and editors." "And not the least indicative sign [is] the allusion to brother Dayton as Corresponding Secretary, in Elder Howell's letter to the Index, in which he *virtually*—to *all intent and purposes*—*attaints* BROTHER DAYTON FOR MALFEASANCE IN OFFICE, by an *insinuation*. We allude to this sentence: 'But we are told by the newspapers, that *this very brother* is himself rapidly preparing Sunday School books, and that several will be ready, and actually presented to 'The Union' in April next, at Americus in your state. Very well. *Let him prepare them, if the Bible Board will allow their Corresponding Secretary to devote nearly all his time to writing books, and instead of presenting* them to the Union, send them to *the Southern Baptist Publication Society*. If they are such books as the Baptists approve, that Society will publish them, and for as small a price, and in as good style as the work can be done elsewhere in the South or Southwest.' Does brother H. mean to say that the Corresponding Secretary *has* neglected, or may probably neglect his official duties to write books? If not, why say, 'If the Board will allow him to devote *nearly all his time* to writing books?' In any light the impression left is very bad, and CASTS SUSPICION upon the *Secretary*, reflecting too nearly a sentiment once before published in this city, which no man should approve." "He, [Mr. Dayton,] *has done* too much good to be let alone. He is enjoying too much of the love, and attracting too much of the attention of Baptists, not to be compelled to suffer the penalty that superiority, or great usefulness is ever doomed to pay."

In these extracts deliberately written, and published by Mr. Graves, I ask the attention of the church, to the following considerations:

1. He asserts that in the letter in question, I "*attainted* Mr. Dayton for *malfeasance* in office."

Was it then a crime in me, to suppose that since Mr. Dayton had especially contracted to give his undivided time to the service of the Board, if any considerable portion of it was diverted to another purpose, it must be with the consent of the Board, and that to give its consent, the Board must be consulted on the subject? Could I suppose that Mr. Dayton would think such consultation degrading? It seems to me that it would have been far otherwise. The Board had not been consulted, and I was not certain that when it should be, it would allow its Corresponding Secretary to devote so large a portion of his time as the work indicated would necessarily demand, to writing books. I said in other words, If the Board will consent, let Mr. Dayton write the books, and let the Southern Baptist Publication Society, if they approve them, publish the books. And *this is attainting* Mr. Dayton for *malfeasance* in office! It is certainly a "false and malicious representation," designed to excite contention between me and Mr. Dayton, and thus to bring upon me reproach and injury.

2. What does Mr. Graves mean by saying in this connection, that Mr. Dayton "has done too much good to be let alone" by his Pastor, and others?

Does he not substantially affirm that I join with others, and harass, assail, and persecute Mr. Dayton, because he has done so much good? This also is plainly a false and malicious representation, made with the same design as the other.

3. What, I ask you, does Mr. Graves mean by declaring here, that Mr. Dayton "is enjoying too much of the love and attracting too much of the attention of Baptists, not to be compelled to suffer the penalty that superiority, and great usefulness is ever doomed to pay."

Mr. Dayton may be a *very great*, and a *very useful* man. The greater and the more useful he is, the more, if he were also a good man, would I rejoice in having him among us. I am sure that while I never claimed to be his equal, it never occurred to me that I had any reason to be jealous of his popularity, or envious of any portion of the Baptist love he enjoys. I always supposed that I had myself, fully as much popularity, and of the love of my brethren as I ever deserved. My feeling on these subjects however, Mr. Graves, it seems cannot understand. Does he not here charge that because Mr. Dayton is my superior, I seek his overthrow? Does he not substantially affirm that I am envious of the love, and attention that the Baptists give to Mr. Dayton, and that I "attaint him for malfeasance in office," that I may deprive him of that love, and attention? These representations are "false and malicious."

What, I now ask, could have been his motives for making them? Who can doubt that it was his design to force me into collision with Mr. Dayton, and thus arraying his great popularity, which he himself so much lauds, against me to break down my character, influence, and usefulness in the South West?

SECOND SPECIFICATIONS.

In the Tennessee Baptist, No. 24, dated February 20th, 1858, Mr. Graves utters the following:

"That part of brother Howell's letter that *most deeply pains us*, is the sentence that casts *that* MOST UNKIND AND CRUEL SUSPICION *upon brother Dayton*. Unless it does by implication, charge him with *having spent* most of his time, or that *he is now spending*, or that the probabilities are that *he is about to spend* most of his time in writing books, we cannot gather brother Howell's intent in penning it. He must have known that it would *deeply wound* brother Dayton's *feelings*, mar his *peace*, and make him *uncomfortable*. He must have known that the sentence was admirably calculated to *excite suspicion*, in the minds of all over whom he had influence. He doubtless *knew* that such a paragraph as this had been penned and published by 'A Member of the Bible Board.' Surely brother H. nor any other man, can think it *strange* that *brother D. should feel sensitive* to see such insinuations *reproduced by the President of the Bible Board*" "If it be a sin against morals, or *the Holy Spirit*, for the *Secretary*

of the Bible Board to write a book, or a tract while so connected, is it not as *heinous a sin* for the Pastor of a church, who *sells his* time for a stipulated sum? Establish this law and *our brother Howell* is the most guilty man known to us, unless brother Everts of Louisville."

In this extract I desire to call the attention of the church to the following points:

1. When that letter was written, *I was not the President of the Bible Board.*

This is another specimen of the recklessness of Mr. Graves' assertions, when he thinks he can by such means serve his purposes.

2. He says that I reproduced insinuations of "A Member of the Bible Board," "once before published in this city, which no man should approve," against Mr. Dayton.

Who wrote the article in the Baptist Watchman, signed "A Member of the Bible Board," I know not: I never sought to know. I did not write it myself. Dr. Jones assures me he did not write it It was, however, a short, plain, and courteous statement of facts.

The "insinuations reproduced" by me, as here charged by Mr. Graves, and of which he says, I doubtless knew that they were the same with those of a paragraph published by an editor of this city a year before, and to which he has of late so often recurred, and commented upon so bitterly, I find upon inquiry, to have been an article which appeared in the *Parlor Visitor*, then conducted by Rev. W. H. Bayless, at the time pastor of this church, and Dr. W. P. Jones in this city. That article of Dr. Jones I never saw. Up to this hour it has not met my eyes. I was curious to know its character, and learned that it was a *Critique upon Religious Novels* generally, which the writer condemned in strong language, as calculated to do in the christian life, harm in the same way, and to the same extent, that ordinary romances do in common social life. It repudiated *all love-sick stories, religious or irreligious.* I am told, however, that no where in that article, which so mortally offended Mr. Graves, does either the name of Mr. Dayton, or of Theodosia occur. How, then, it may be asked, could Mr. Dayton consider himself especially implicated? By what process of reasoning could Mr. Graves apply it *to me*, since I had nothing to do with it, and never saw it? Mr. Graves, without any reason, justice, or propriety, placed these circumstances in this relation to subserve his own purposes. He first made Dr. Jones' article on religious novels, apply to Theodosia; then he applied it to Mr. Dayton as the author of that book; then to Mr. Dayton as Corresponding Secretary of the Bible Board; and having by repeated appeals, nearly two years ago, and before my return to the West, succeeded in stirring up among his partisans not a little odium, and angry feeling, against Dr. Jones, he now seeks to connect this matter with my *Index* letter, and thus to transfer to me that same odium, and angry feeling, so unjust even in its application to Dr. Jones, and how much more so as to me! But in all this what was Mr. Graves' design? It was his design to injure me and put me down, by bringing to bear against me, the late extraordinary popularity of Mr. Dayton.

3. Mr. Graves avers that I have brought upon Mr. Dayton "*most unkind and cruel suspicions.*"

I have already explained the relations of the parties to the standing rule of the Bible Board, requiring the Secretary to devote his undivided time to the duties of his office. Mr. Graves, however, again brings it up in new associations, and I must again explain. In view of that rule, which since it existed before, necessarily entered into Mr. Dayton's contract with the Board; and in view of the authoritative announcement of Mr. Graves himself, that the same Secretary was diligently at work preparing a series of books for publication, which were to be ready in a few months; how could I conclude otherwise, believing, as I did, all the parties honest Christian men, but that the Board would be consulted, and might possibly withhold its consent? I suggested this as delicately as I was able, and certainly in courteous, and respectful language. Mr. Graves is filled with indignation, and pronounces it "*That most unkind and cruel suspicion*" cast by me upon Mr. Dayton; asserts that I "must have *known that it would deeply wound*" him, "*mar his peace*, and make him *uncomfortable*;" that it would "*excite suspicion*;" and that "Brother Day-

ton felt sensitive," because it was "a *reproduction* by the President of the Bible Board of former insinuations."

What could Mr. Graves hope to accomplish by all this tissue of falsification and appeals? They are charged by the brethren, as "false, and malicious representations;" they are now proved to be "false and malicious representations." His purpose was undoubtedly to bring me into collision with Mr. Dayton, and thus by arraying against me his supposed overwhelming popularity, to bring upon me in the minds of all his admirers, reproach and injury, and to destroy my character, and influence in the South-West.

But that *this was Mr. Graves' purpose*, and that he flatters himself that he has already, to a great extent, really accomplished it, we have still more direct, and unequivocal testimony. Various articles in his paper might be referred to, but I will satisfy myself with one only. It is found in the *Tennessee Baptist*, dated July 17th, 1858, as follows:

"Our readers will find in this column this week, a fine specimen of the sentiments of not the Baptist *rank* and *file* only, but of a number of the leading minds of the denomination from Maryland to Florida, and Virginia to the fartherest Texas." Among these "fine specimens" is one from a man who signs himself "Alabama," and in commendation of whom Mr. Graves says, he is well informed as to the state of public feeling in his section, as the others are in their sections. Alabama writes thus:

"Where is Tustin's influence in South Carolina? Where are Hillsman's, and his friend H. [Howell's] in Tennessee? Where is Henderson's in Alabama? *Not one of them has a tithe of the influence* in the heart of their territory that they had before they began this war upon Bro. Graves, and his paper. They have made a pit, and digged it, and are fallen into the ditch which they made. Their mischief has returned upon their own heads, and their violent dealing has come down upon their own pate."

I have only to ask, why, if Mr. Graves did not intend to destroy my character, and influence in the South-West, does he thus congratulate himself that he has done so, and eagerly, and with commendations, publish the declaration that I have not now one tithe of the influence that I had when he commenced *this war upon me in his paper?*

Other specifications, and many more proofs of Mr. Graves' guilt as charged in this count, might be introduced, but these are deemed amply sufficient. We have now seen that he falsely charges me with "attainting Mr. Dayton for malfeasance in office;" with envy of Mr. Dayton's popularity; with persecuting Mr. Dayton on account of his superiority, and usefulness; that he refers to me as President, when I was not the President of the Bible Board, that my letter to the *Index* might appear the more offensive to the admirers of Mr. Dayton; that he charges me with reproducing an article in the *Parlor Visitor* which I had never seen, in order to attach to me the odium which he had attached to that in the minds of the friends of Mr. Dayton; and that I originated in the public mind, unkind, and cruel suspicions of Mr. Dayton. It is, therefore, unquestionably true that Rev. J. R. Graves is guilty of having sought to bring upon me reproach, and injury, and thus to destroy my character, and influence in the South-West, and that to accomplish this purpose, he has sedulously labored to bring me into conflict with Rev. A. C. Dayton, who had a high reputation for piety, and usefulness, and to accomplish which he has published in his said paper, various false, and malicious representations.

This count, without further testimony, or remarks, I now submit, Brother Moderator, to the judgment of the church. I know, brethren, with the law, and the facts before you, that your decision will be made in the fear, and according to the word of God. From your verdict, whatever it may be, I will never shrink, I will never appeal.

Mr. Fuller said:

Bro. Moderator: I do not rise for the purpose of offering any additional arguments as to the charge now before the church. It seems to be a point in the line of policy adopted by J. R. Graves that no defence is to be made. It is a part of the programme announced by him on last night. Such being the case, upon his head must rest all the responsibility of

permitting the case to go before the church for final judgment without appearing to defend it. The members of this church have been violently assaulted in the Tennessee Baptist, and some of its members denounced as the vilest of the vile. You have been taunted and goaded almost beyond human endurance. Efforts have been made to browbeat and overawe you by its thunders, to prevent you from entertaining and considering the charges presented before you. And at last, when patient endurance was exhausted, and the charges brought against the accused, what is seen? False assertions are made as to their character and coarse and vituperative language is employed to disparage the reputation of those who had the hardihood to present themselves before the church as the accusers of J. R. Graves. And even you, or a majority of the members of the church, are charged by one of the editors of the Tennessee Baptist as having been drilled to suit the purposes of Graves' accusers. If any drilling has been done it will be found to be among those who were the principal actors in the closing scenes of last night. J. R. Graves then announced that he withdrew from the First Baptist Church, and that he no longer considered himself a member. This may be Baptist usage, according to his understanding, and is a perversion no worse in its bearings than many others that have been heralded forth in his paper. But I know of only three ways of getting out of a Baptist Church—1. A letter of dismissal to join another Church of the same faith and order. 2. Death, which separates all earthly ties. 3. Exclusion. And it seems strange to me, if J. R. Graves has such perfect confidence in his innocence as he pretends, he should now waive and avoid a fair trial before his brethren, where he can meet his accuser face to face. Does his failure to appear, proclaim his innocence? After having *dared* the church to entertain charges against him, a *new light* appears to have dawned upon his vision, and he now seeks to evade the investigation by declaring you incompetent to act as his judges. Why is this? Does it not show a consciousness of guilt, and a fear of its being made manifest by a fair and impartial investigation? Such I think will be the verdict of the denomination, when the facts are fully placed before them. As one of the prosecutors, I have no private purpose to subserve. Rather would I rejoice if he could exculpate himself from these accusations. Before they were brought, I carefully examined all the testimony, and was unwillingly forced to the conclusion that he is guilty as charged before you. And I now appeal to you to decide on the evidence submitted. Let no consideration of private friendship for your pastor, or any regard you may entertain for me personally, bias or influence your judgments. Remember that the eyes of God himself are upon you, and therefore I urge you to act and decide as standing in His awful presence. *We* are but as dust in His sight. It is ours to seek the *truth* in this matter, and having found the truth, boldly and firmly to act upon its convictions. With a conscious rectitude of motives in the prosecution, I leave the ultimate decision with you. Upon your decision must the accused stand or fall, and from your decision there can be no appeal. Fully convinced of the guilt of the Rev. J. R. Graves, I again call for your decision, and will cheerfully submit to whatever it may be.

Mr. Fuller moved that the vote be now taken, upon the first count in the charge, preferred against Elder Graves.

The Moderator. All who believe that this count in the charge against Elder Graves, has been sustained by the testimony, will rise.

Upon a count, it was ascertained that eighty members were standing.

The Moderator. All who believe that this count in the charge has not been sustained, by the testimony, will rise.

No one rose.

The Moderator then declared that the Church had decided that this count was sustained.

Mr. Fuller stated that the decision of the Church by the vote just taken afforded him no personal gratification. He had acted solely from a sense of duty to his Church, and he believed the members of

the Church had done their duty in this matter.

Upon motion,

The Church then adjourned, with prayer by the Moderator, to Friday night at 7 o'clock.

FRIDAY EVENING, October 15, 1858.

Met pursuant to adjournment.

The proceedings were opened by reading a portion of Scripture, and prayer by the Moderator.

The reading of the minutes of the two previous meetings was dispensed with.

On motion, the second count preferred against Elder J. R. Graves, was taken up, and read as follows:

Secondly, in that he has endeavored to distract and divide said church, by means of a conflict between its pastor and four of its deacons, and several others of its influential members, which he has labored to produce by various inflammatory articles, published in his paper.

Mr. Fuller stated that the evidence to sustain this charge was to be found in various issues of the Tennessee Baptist, which he read as follows:

Tennessee Baptist, No. 26, March 6, 1858. "Every reader can see that these brethren, [referring to Hillsman and Howell,] took the initiative in declaring a war against their Landmark brethren, and that they, [the Landmark brethren,] are to be proscribed from the Boards that direct the great interests of Southern Baptists." Again: "Should it come to this, who would be chargeable with the deplorable results that would follow. That man who first objected to this Board, because he imagined that the majority of it were Landmark in sentiment." Again: "We urge the Clerk or Pastor of each Church, to bring this resolution before their several churches, at their next church meeting: *Resolved*, That this church regard the brethren nominated as a Board of Managers for the S. B. S. School Union, unsound, and wholly incompetent for the work. And if one-half, or a small majority of the churches inthe Southwest and South, say that they regard the brethren named—Dayton, Sharpe, Graves, Scovel, Shankland, Nelson, Beech, Murfree, Poole, Fish—as incompetent to decide on books suitable for Sunday School children, we will urge their claims to the confidence no more, and bow our heads, and let proscription triumph."

Tennessee Baptist No. 33, April 24, 1858. "The names proposed, [and who] would have constituted the Board, if elected, are Dayton, Graves, Rogers, Scovel, Shankland, Nelson, Murfree, Poole, Beech, Fish—ten names.

Tennessee Baptist, No. 23, February 13, 1858. "The opposition, led by Brn. Howell and Hillsman, burst forth in all its fury when the committee made their report." "A most gross and shocking attack was made upon the men, or some of the men nominated, because of their opinions with regard to some matters of Baptist policy." "No one, we presume, will question the competency of A. C. Dayton to discharge the duties of the Presidency of the Union." "To Bro. Sharpe, we suppose no man in Georgia, or out of it, has yet objected, as Corresponding Secretary. Bro. S. C. Rogers, the Accountant of the Southwestern Publishing House, was recommended for Treasurer, *because it was necessary for some member of that house to fill this office if the Board was located in Nashville, since money would constantly be remitted for books in the letters sent to the house ordering other publications.*"

H. G. Scovel, the Chairman of the Board, is a man of large means, an intelligent, practical business man, deacon of the First Baptist Church, and has been for years, the Superintendent of its Sunday School, and a prompt and efficient Board-man. Who better qualified than he, for the position of Chairman of the Board? A. B. Shankland has been for twelve or fifteen years, a Deacon of the First Church, and a teacher in its Sunday School, and for seven years a dealer in Baptist books. A. Nelson, Deacon of the Church, and from boyhood until now, either scholor or teacher in the Sunday School, and for some years connected with a Baptist book store. E. F. P. Poole, late of Va., for many years a teacher or Superintendent in a Sunday School. Wm. F. Murfree a Brother of

liberal education and fine cultivation, having years' experience as a Sunday School teacher.

A. C. Beech, Deacon of First Church, and teacher in its Sabbath School. S. Fish, for years a Sunday School teacher and the efficient Superintendent of the Sabbath School in Murfreesboro.

The above are the names of the BOARD nominated by the Committee, and if our life depended upon selecting a better Board in the First Church of Nashville, to decide the proper character of Sunday School books, we could not do it They would make a better Board for this purpose, than would the Senate or any four members of the Senate of the United States, or of the Parliament of England. We would prefer them to any seven of the most learned men in the United States, known to us, be they D. D.'s or L. L. D.'s. These men were trained from earliest childhood, in Sunday Schools, and ever since early manhood, been teachers or Superintendents in Sunday Schools. To question their ability, is to offer them the grossest insult, because it would be to deny them the possession of *natural capacity and common intelligence,* for they have had during a long series of years the very education and training to fit them for the work of deciding the character of books best suited to children and youth.

Tennessee Baptist, No. 24, Feb. 20, 1858.

"Brother Howell's attack upon the Board" was "such an attack upon men and brethren before the convention [as] is without a precedent in our knowledge. It shocked the feelings of every Baptist present who heard it, or heard of it, save those three or four who were enlisted to defeat the Union. That brother H. should lead such an attack, was as astonishing as it was painful to all who loved him. We notice this feature of the opposition to the Union with regret seldom felt by us, but as we were the chairman of the committee that nominated those brethren, instrumental in exposing them, without their knowledge to such shafts, by commending them as every way qualified and suitable to decide upon the proper character of Sunday School Books, we feel in duty bound to defend them."

Same paper again: "What then can be the charge against these men? If they possess the requisite piety, morality, and *intellectuality*, what do they lack? If they are not heretical in doctrine, and possessed of the above rare qualifications, what better Board is needed? In what respect are they so sadly, so fatally disqualified, that *no body of men like them would* be accepted by Bro. Howell to purvey theology to his children? In what light can we place them, admitting them so qualified, as to conclude with Bro. Howell that they are *wholly incompetent* to discharge the duties assigned to that Board? We searched in vain to find it in the letter, and then tried in vain to imagine it. We knew it could not be their *business* qualifications, for they are well known in this city to be among our most reliable business men, men who have been the architects of their own fortunes, men long used to manage discreetly large amounts of money, from fifty thousand to hundreds of thousands annually. Here we recurred in our mind to Bro. Howell's speech in the convention, in which he gave his reasons for opposing the Board, that it seemed to point to the pecuniary interests of private individual enterprise."

"What circumstances excited suspicion but the bare fact that such men were nominated? What is the force of brother H.'s significant,—we had almost written, sneering expression in his letter, 'then why create a Board here, and especially *such* a Board, &c.' We ask brother H. with all due respect and courtesy, what he means by emphasizing the term such? Does he mean that these four deacons of his own church, as well as the three other brethren nominated, are so *ignorant* or unprincipled as to unfit them for the work? If not, why say derisively, 'and especially *such* a Board?' We think an explanation is due the committee and due these brethren. It would be demanded from another man, we are confident."

Again: "What a cruel suspicion—aye, what a gross insult is offered to the men whose names were nominated for that Board."

"Here are the names nominated for a Board by that committee: H. G. Scovel, A. B. Shankland, A. Nelson, A. C. Beech, E. F. P. Poole, Wm. Murfree, and S. Fish."

"We affirm that these men are above suspicion in the respect intimated. They are not the men who can be corrupted by

bribe or by favor. They are not the men—not a man of them—who could be influenced by any means to violate the confidence of the denomination, or to prostitute any trust confided in them, to promote the pecuniary interests of individuals at the expense of the best interests of the denomination. No grosser insult could have been intimated than to suppose they could be used in this way."

"Who are the men nominated for a Board that brother H. is so unwilling to purvey theology for his children, '*or any other like them? Four of them are the most efficient deacons of the First Church*, H. G. Scovel, A. B. Shankland, A. Nelson, A. C. Beech. They are pious, intelligent, energetic business men. The first named brother has for many years been the Superintendent of the Sunday School, and all, or nearly all of them experienced teachers in the Sunday School. Brother Howell should withdraw his children, and advise all other parents to withdraw their children from the instruction of such men if they are unsafe purveyors of religious instruction to any man's children. If they are either unsafe to be trusted, wholly incompetent to decide upon what should be taught to children in Sunday School books, they are even more unsafe and incompetent to teach children directly in the Sunday School. We again say of these men, against any man's denial, that six better qualified men, either to manage the finances of the Union or to purvey theology for any man's children—to decide upon the books suitable for children—could not be selected in this city, or any city in the South. We would prefer them to any seven of the most learned men in the United States, known to us, be they D. D.'s or L. L. D.'s. These men were trained from earliest childhood, in Sunday Schools, and ever since early manhood, been teachers or superintendents in Sunday Schools. To question their ability, is to offer them the grossest insult, because it would be to deny them the possession of natural capacity and common intelligence."

Mr. Fuller stated that the prosecution offered this evidence to sustain the second count in the charge preferred against Elder J. R. Graves.

The Moderator called upon Elder Graves, if he was present, to submit any rebutting testimony he might desire; or if any other person desired to present such testimony, it will now be received.

There being no further testimony offered, Dr. Howell said:

Brother Moderator, and Brethren:

On this second count of the charge against J. R. Graves, it has become my duty to address you, for the same reasons that were imperative last night. The statement of those reasons I need not now repeat. In these remarks, which shall be as brief as possible, I shall have occasion to reproduce, and more closely examine, all the testimony in the specifications under the count now before you. The count is as follows:

COUNT SECOND.

We, the undersigned, members of the First Baptist Church, Nashville, Tennessee, charge Rev. J. R. Graves, a member of said church, and one of the Editors of the *Tennessee Baptist*, with *grossly immoral, and unchristian conduct, in that he has endeavored to distract, and divide said church, by means of a conflict between its pastor, and four of its deacons, and several others of its influential members, which he has labored to produce by numerous inflammatory articles, published in his paper.*

The sin, brother Moderator, and brethren, with which Mr. Graves is here charged, is usually denominated *schism*, and is one of the most heinous of which a church member can be guilty. It is an attempt to tear asunder the body of Christ, the integrity, and harmony of which, he is under the most sacred obligations to seek by every means in his power. On this subject Paul says, to the Corinthians—1 Cor. 1:10—"I beseech you brethren, by the name of our Lord Jesus Christ, that ye all speak the same thing, and that there be no divisions among you, but that ye be perfectly joined together in the same mind and in the same judgment." And in another place—1 Cor., 3:3—"Whereas there is among you envying, and strife, and division, are ye not carnal, and walk as men?" To the Romans he says—Rom., 16:17, 18—"I beseech you brethren, mark them that cause divisions, and offences, contrary to

the doctrine which ye have learned, and avoid them. For they serve not the Lord, Jesus Christ, but their own belly, and by good words, and fair speeches, deceive the hearts of the simple." In these and similar texts, we have the divine teachings in regard to the conduct with which, under this count, Mr. Graves is charged.

Mr. Graves attempts to deny your right to take cognizance of these repeated, and persevering attacks upon the *union* and integrity of this church, under the absurd pretence that this is a *private* personal matter between him and his pastor! He assumes this, both in the correspondence read here on Tuesday night, and, in which, you saw how grossly he had deceived brethren Jeter, Crawford, Campbell, Buck, Baker, and others, and in his pleas, entered to escape this trial. Why does he thus attempt to impugn our reason, and common sense? Does he imagine that you do not know the difference between a private personal offense, and a public protracted, and violent agitation to divide, overthrow, and destroy this church?

The plea upon which he makes these assaults upon the integrity and harmony of this church is the same in this case, as in the other—a speech made by me, in the Sabbath School Convention in this city, last autumn, and the letter referred to in the preceding count, published in the Christian Index, of Georgia. The substance of both is contained in the letter, which I ask, brother Moderator, may now be read. It ought to have been read last night, but the reading escaped my memory until the proper time was past.

The Moderator: Do you desire that *the whole* letter shall be read?

Dr. Howell: Yes Sir; the whole letter. I wish this church to see how shamefully it has been misrepresented: and especially that it gives no such provocations as some of you have supposed, for the assaults Mr. Graves has founded upon it.

Mr. Fuller, by consent, read the letter, as follows:

NASHVILLE, Dec. 21, 1857.

My Dear Brother Walker:—I write now to inquire whether you have published a communication I sent you, some time ago, in regard to the origin and early history of the Index. I have not seen it. Lately, owing doubtless to the derangement of the mails, not, perhaps, more than half your papers ever reach me. If the article has appeared, will you please mail me another copy of the paper containing it?

Our Sabbath School Convention seems to have attracted very considerable attention. On that subject I may, perhaps without impropriety, say a few words to your readers.

The call for that Convention was *credited to me*, and up to the time of its meeting, I really, notwithstanding some developments which I did not comprehend, in my simplicity, supposed myself to have been its author. It is certain, however, that I did not contemplate the purposes which were developed in the assembly. I presumed that it would be such a Convention as those frequently of late years, held in Virginia, in which might be presented the importance of Sunday Schools, the best methods of creating, and rendering them permanent, the most successful way of conducting them, and how we could best and most readily co-operate with each other throughout the whole South, in their advancement. Nor did I imagine that a constitution would be proposed to render the organization permanent under any name whatever. To this, however, when in general terms suggested, I accorded, still under the impression that nothing more than has been intimated was designed. Indeed, I thought it would be an excellent plan, and until the constitution was submitted, earnestly advocated it. When that paper was read, the whole truth came up before me. It was then apparent that the call for the Convention was not mine, and I am now glad that it was not. Not having been consulted at all by the movers in the enterprise, nor had any explanations, I was, it seems, behind the times, and left, when the project was evolved, either to go, willingly or unwillingly, with the crowd in its favor, or to fall out of the ranks into a hopeless minority, as I might choose. All this brother Dayton has explained and certified in an article lately published in your paper and several others. You are aware, my dear brother—for I was once your pastor, and you know me well—that I am an enthusiast on any subject that deeply interests

me. I never conceal any of my designs, nor suspect any one else of doing so. In my zeal for Sunday Schools, I saw only what was apparent. If any attempt *to make use of me*, for any purpose, without my knowledge or consent, has been developed, I regret it most sincerely, not so much for my own sake, as for the sake of those brethren who thought such a measure legitimate. This explains to brethren Dayton and others, why "Dr. Howell advocated Sunday Schools as he did," in the Concord Association, and yet could not, for reasons he is always ready to assign, accept, in the form proposed, "*The Southern Baptist Sunday School Union.*" It was heralded last summer, by brother Dayton, that the Convention was called at the instance of brother Howell. It is now heralded by the same *brother*, and in the same papers, that it was called *at his instance*, in consultation with brother J. R. Graves, and of which brother Howell was made *the passive instrument*. These are facts, and I speak only of facts developed by a general inspection of all the publications in the premises, which appeared in the meeting, and have since found their way into the newspapers. I am sorry that they are such as they are, but I am not responsible for them; and that they should be known, is due alike to me, to my brethren, and to the cause in which we are all engaged.

I cannot, my dear brother, accept the proposed Constitution, in its present form, of the Southern Baptist Sunday School Union, not only because we had no such delegation present as (not knowing the mind of our brethren) authorized us to act for the South, but also, and mainly, because it originated *another* Southern Baptist *Publication Society*. We already have one, which is just now reaching a vigorous maturity, and having accumulated a capital of say forty thousand dollars, and under the direction of a Board of managers, in whose piety, orthodoxy, wisdom, learning and integrity, I have as much confidence as I could have in those of any men living upon earth. I have thought they might have acted with more energy, and have given to their publications a wider circulation, especially in the Southwest; but my information on this subject is not suficient to entitle my opinions to any reliance. This Society is especially charged with the publication of Sunday School books, and as its reports show, is publishing them as fast as it can procure the manuscripts, and the means to send them forth. And shall we now create in the same field, and for the same objects, another Society entrusted with the very work already confided to this? Would this, even supposing the new Society to be in every sense as competent as the old, be just to that Society? Would it be just to ourselves? Would it be good policy? To me, this whole thing is repugnant. We are told, however, by your correspondent, that no harm will thus be done to the Southern Baptist Publication Society. Indeed, that it will be rather benefitted than injured by the presence and action of this new organization! *That* brother, should he take it into his head to wear my coat this winter, might just as well attempt to prove to me that by doing so, he would put me to no inconvenience; that indeed, it would be a benefit to me rather than an injury. The writer of Theodosia Ernest ought not to give us such logic as this. We are shocked by it rather than satisfied.

"But we are told by the newspapers that this *very brother* is himself, rapidly preparing Sunday School books, and that several will be ready, and actually presented to the Union" in April next, at Americus, in your State. Very well. Let him prepare them, if the Bible Board will allow their Corresponding Secretary to devote nearly all his time to writing books, and instead of presenting them to the 'Union,' let him send them to the Southern Baptist Publication Society. If they are such books as the Baptists approve, that Society will publish them, and for as small a price and in as good style as the work can be done elsewhere in the South or Southwest." And let that "*Sweet Singer*" also, brother Fish, of which the Tennessee Baptist speaks as now preparing "*songs for Children*," do the same thing. Until the Southern Baptist Publication Society fails to do the work assigned it, we want no other.

Nor can I accept that proposed *local board* in this city, whose names were laid upon the table, in the Convention in deference to the appeals of an earnest minority, or any other like it, as the purveyor of theology for my children. I am sorry that in

reference to that action in the Convention brother Dayton said, in a voice of lamentation, in the article he appended to the publication of the projected constitution, that the best hope of the Baptist people must now be deferred until next April. I am not convinced that our best hopes are necessarily connected with the action of that local board here, and if they were, the declaration would come more modestly from some one else than its proposed president. I bring no charge against the christian, moral, or intellectual character of these brethren. They are nearly all members of my church, and several of them among the dearest personal friends I have upon earth. Nor do I refer especially to the "Landmark" doctrine, known to be "a hobby" among them; which by the way they do not understand, since they have never yet learned the teachings of the Bible, nor the opinions of our brethren in the South, regarding it. There are several other doctrines inculcated in that office, such as those relating to the Abrahamic covenant, to the law of prophetic interpretation, and the millenium, which, although they do not invite, and bring upon us, the same useless odium, are practically much more injurious. And what, I will now ask, is the use of this proposed Board at all? They tell us that if the books that may be offered can be published any where else than in the Tennessee Baptist office, in Charleston for instance, upon as good or better terms, that they shall be published Charleston. Then why create a Board here, and especially such a Board, to examine and pass upon them? Why not submit the manuscripts to the Board in Charleston? Does not the creation of a Board here to examine and approve the manuscripts, intimate the probability that our brethren are afraid that the books they have written, or intend to write, would not be approved by such men as Manly, Winkler, Tupper, and others of the Charleston Board. But besides all this—I say in the kindest terms—this particular proposed Board, excellent as may be the personal and christian character of its members, is, in my judgment, wholly incompetent to the task it is contemplated to assign it.

I do not expect to be in Americus next April. I suppose I shall not be. Nor do I know to what extent my opinions might influence the brethren there. Perhaps nothing will be gained or lost by my absence. I will only say further, that, upon mature consideration, I have arrived at the conclusion that no good can arise out of this movement. I was strongly in favor of such an organization as I have described, to infuse life and spirit into Sunday Schools in the Southwest. We cannot, it seems, have it by itself. I am, therefore, opposed to the whole project, and do hope that by the brethren who may be at Americus in April next, it will be laid upon the table, and remain there indefinitely.

As ever, yours truly and affectionately,

R. B. C. HOWELL.

Dr. Howell continued:—

It will be seen, brother Moderator, that in this letter I said:

"Nor can I accept that proposed local Board, whose names were laid upon the table in deference to the appeals of an earnest minority, or any other like it, as the purveyor of theology for my children."

Further on in the same letter I said:

"I bring no charge against the christian, moral, or intellectual character of these brethren. They are nearly all members of my church, and several of them among the dearest personal friends I have upon earth."

Near the close of the letter I said:

"Why create a Board here, and especially such a Board, to examine and pass upon them? Why not submit the manuscripts to the Board in Charleston?" "But besides all this—I say it in the kindest terms—this particular proposed Board, excellent as may be the personal, and christian character of its members, is, in my judgment, wholly incompetent to the task it is contemplated to assign it."

These extracts, be it remembered, contain the whole of my alleged offense against the Deacons, and other members named of this church, and upon which Mr. Graves lays hold to effect a division in your body. Nothing else, so far as I know, has ever been pretended. These facts fully before you, we are prepared to take *another step* in the discussion

Our mortal offence was the opposition we made to the inauguration of that Board. I was not alone in that oppo-

sition. I spoke and voted against it, and so also did some of you. Let us now see who were to have been the members of that Board, and how Mr. Graves prevaricates in relation to them. Would that Board have been composed of *four of the Deacons*, and *two or three other members of this church?* In the Tennessee Baptist, No. 23, dated February 13th, 1858, Mr. Graves mentions, *by name*, H. G. Scovel, A. B. Shankland, A. Nelson, E. F. P. Poole, W. L. Murfree, A. C. Beech, and S. Fish, all of whom except Mr. Poole, who has since united with us, and Mr. Fish of Murfreesborough, are members of this church, and says: "*The above are the names of the* BOARD, nominated by the committee." Again, he says, Tennessee Baptist, No. 24, February 20th, 1858: "Here are the *names* nominated by that Committee: H. G. Scovel, A. B. Shankland, A. Nelson, A. C. Beech, E. F. P. Poole, Wm. Murfree, S. Fish." And again, in another place, he says: "*Four of them* are the most *efficient Deacons of the First Church*—H. G. Scovel, A. B. Shankland, A. Nelson, A. C. Beech." Mr. Graves, therefore, very assiduously labors to impress his readers, with the idea that *these four Deacons*, whose names he so often, and so earnestly repeats, and two or three others would have composed that Board. He says again, and again: "*These are the names nominated for a Board.*" Did those brethren compose the Board? Mr. Graves himself shall answer.

In the Tennessee Baptist, No. 26, dated March 6th, 1858, he says:

"Every reader can see that these brethren [Hillsman and Howell] took the initiative in *declaring a war against their* LANDMARK *brethren*, and that THEY [the Landmark brethren] are to be proscribed from the Boards that direct the great interests of Southern Baptists." "Should it *come to this*, who would be chargeable with *the deplorable results that would follow? That man who first objected to this Board*, because he imagined that a *majority* of it were *Landmark* in sentiment." He then, in this same article, proposes one of those extraordinary measures so characteristic of Mr. Graves, which, it appears to me, no sane man ever could approve, and which, by all our denominational papers that spoke on the subject, was so decidedly condemned, as follows:

"We urge the *Clerk* or *Pastor* of each church [throughout the whole South, and South-west] to *bring this resolution* before their several churches, *at their next church meeting:*"

"*Resolved*, That *this church* regard the *brethren nominated* AS A BOARD of Managers, for the S. B. S. School Union, UNSOUND, and WHOLLY INCOMPETENT *for the work.*

"And if one half, or a small majority of the churches in the South-west, and South, say that they regard the brethren named, *Dayton, Sharpe, Graves*, Scovel, Shankland Nelson, Beech, Murfree, Poole, Fish, as *incompetent* to decide on books suitable for Sunday School children, we will urge their claims to the confidence no more, and *bow our heads*, and let *proscription triumph.*"

And in the Tennessee Baptist, No. 33, dated April 24th, 1858, Mr. Graves says:

"The *names proposed*, [and who] would have *constituted the* BOARD, if elected, are DAYTON, GRAVES, Rogers, Scovel, Shankland, Nelson, Murfree, Poole, Beech, Fish, *ten names.*"

In these statements of Mr. Graves therefore, although his catalogues are very different from each other, it is seen substantially, who this *proposed Board* would have been, as understood by *him*, and as understood *by me*. When laboring to stir up strife between the pastor and deacons, and thus divide this church, they are these said deacons and three others, Murfree, Poole, and Fish; but when afterwards his thoughts were in another direction, there is a change in the persons of the drama! He then recollects the other names! No one who examines these facts can avoid seeing with what ingenuity—to use no stronger expression—he attempted to carry out his schismatical design.

Why should Mr. Graves ignore the plain sense of my letter, and attempt, as we have seen, to make those four deacons and those other brethren mentioned, believe, that my purpose was to disparage them? I did not mean when I spoke of the board to designate *as that Board* those four deacons and two other lay members of this church. Such a thought was not in my mind. I thought those brethren, so far as I knew

any thing of their doctrine, entirely orthodox. I considered them, also, highly cultivated, active, and faithful Christians. I did not suppose, that they would knowingly have permitted any thing, unscriptural, to come forth under their auspices, as Sunday School literature. Nor did I make, or intimate such a charge, in my letter to the Christian Index; nor did *I, in that letter, make any offensive imputation on any member of that board.* So far from it, I stated in express terms: "I bring no charge against the christian, moral, or intellectual character of these brethren [The members of the proposed board.] They are nearly all members of my church, and several of them among the dearest personal friends I have upon earth." How could it be urged, in the face of this declaration, that I made, in that letter, personal imputations upon those brethren.

It is true, that in that letter I took a stand in opposition to the proposed board. And allow me here brother Moderator and brethren to state the facts and reasons which influenced me when I said: "Why create a board here, and especially such a board, to examine and pass upon them [the manuscripts]? Why not submit the manuscripts to the board in Charleston?" "But besides all this—I say it in the *kindest terms*—this particular proposed board, *excellent as may be the personal and Christian character of its members*, is in my judgment wholly incompetent to the task, it is contemplated to assign it." The members of that board were, with two exceptions—Elders Graves and Dayton—lay-members of our own, and other Baptist Churches, honorable, energetic, intelligent business men. To those Deacons and the other brethren, I meant no disparagement, in imagining that they, at this late period of their lives, were not likely, so far to change their habits and pursuits, as to turn book makers, and book reviewers. Nor does Mr. Graves speak of them, as will hereafter be seen, as critics in these matters—as those from whom he expected literary and theological aid; so much as "business men;" men to manage the finances of the Union. And besides this, it is very well known that *theological errors* may be so infused into a book that the mere cursory reading of the manuscript, by men not profoundly versed in Polemic Divinity, may fail to detect its presence. And what more than a cursory reading could have been expected from these "business men?" Indeed it seemed to me that opportunity might not have offered for even that much.

When there was formerly a Publication Society in this city, with which Mr. Graves was connected, the board of that Society was composed of as noble a set of brethren as those nominated for this Sunday School Union; indeed several of them were the very same men; and it is well known that it was the habit of Mr. Graves, to take the manuscript, or the proof sheets of any work he desired to publish, and going round to the offices, and other places of business of the members, or meeting them on the streets, to show it to them, *state in general terms* what it was, and ask their approval of its publication. But under the most favorable circumstances, the pressure of business engagements, would, it seemed to me, preclude those brethren from any other than a cursory examination of the manuscripts proposed for publication.

It struck me that in this state of the case, the character of the Sunday School books would depend mainly upon the opinions of the other two members of the Board, Elders Graves and Dayton.

The man who writes Sunday School books or upon whose judgment they are published, and put into the hands of our children, should be well instructed in the divine word, and scriptural in his doctrines. And as it is desirable that a Sunday School Union should be an enterprise upon which the whole denomination might unite, his theological knowledge and orthodoxy should be undoubted by all. Could the whole denomination unite upon the views and teachings of Elders Graves and Dayton? The *Tennessee Baptist* is understood to teach, that of the old Jewish law, all that part is in as full force as it ever was, which relates to circumcision; it endorses the doctrine as scriptural which was some time since known as Millerism, in regard to the Millenium, and more recently, in the South known as Thomasism, characteristic of an ultra school of Campbellites, and actually disowned by Mr. Campbell himself; all of which Mr. Dayton teaches in his recent work entitled the Baptist Sunday School Question Book.

Nor are these the most unscriptural of their principles. I will not, however, now designate them, nor will I speak of the spirit, by which Mr. Graves' publications are characterized. Even Mr. Graves' own friends, and especially the intelligent and well read among them, do not endorse his orthodoxy. Rev. Dr. Joseph S. Baker, for example, one of his special defenders, and champions, the writer of his tract entitled "The Question of the Age," says of him on this subject—Christian Index, dated April 28th, 1858:

"I do not endorse the Theology of the brethren in Nashville, [Graves, Pendleton, and Dayton,] I am a believer in a *personal* atonement, and believe that all for whom the Savior has atoned, will be assuredly saved; not *in* sin, but *from* sin, and all its direful consequences." "I am *not a convert* to their views of the *premillenial* reign of Christ on earth, or of the reorganization of the Jews as a nation, in Palestine."

And may I not say also, and say it without offence, neither do I endorse their orthodoxy. And this is the utmost construction which could be placed upon my letter to the Christian Index. In it I wronged no member of that Board. I assailed no member. Viewing the board as a whole, I stated in effect that I could not endorse it. I have now stated the reasons why I could not endorse it. Those reasons were not that I doubted the intelligence, or the honor, or the orthodoxy of the lay brethren, who in part composed it, but they do not claim to be theologians and from the claims of their business upon their time, and their thoughts, it could not be expected, that, under the most favorable circumstances, they could bestow more than a brief attention on the manuscripts submitted to them. The Sunday School books would depend mainly upon the judgment of the ministerial members of the Board. Nor did I in that letter question the intelligence or the honor of those ministerial members. But I could not endorse, as many other brethren could not endorse, their orthodoxy. In my opinion, as in the opinion of other honest brethren, men of learning and ability, they entertained erroneous views, which I feared would pervade the Sunday School literature, which might emanate from the board. And I honestly, and conscientiously, yet courteously opposed the board, in which, from the circumstances of the case, they would most probably exert a strong influence, which I feared would prove highly injurious to the orthodoxy of the rising generation. In this I can see no cause for blame. There was, in that letter, nothing to provoke, or to justify the violent and persistent attacks made upon us by Mr. Graves. If he were offended with that letter, it was his duty as a Christian, to have come to me for an explanation. That would have been frankly given, and it would have been explained to Mr. Graves, that I neither impugned the motives of him and Elder Dayton, nor assailed the integrity, the intelligence, or the orthodoxy of the other brethren. He would have been frankly informed, that I only questioned the scripturality of his views, and opposed the board, because I feared it would become the means of extending error. This *should* have been no cause of personal hostility between us. As Christians, and servants of one common Lord, we could agree to differ. But instead of this he disregarded the law of our Savior: he assailed us in his paper: he attempted to stir up strife between Elder Dayton and myself, and it has been seen that he succeeded but too well in exciting hostility in his breast towards me: he attempted to excite hostility in four of the deacons and other influential members of the church against me, and by thus producing a conflict, to distract and divide the church.

I proceed to notice the specifications under the present count.

SPECIFICATION FIRST.

In the Tennessee Baptist, No. 23, dated February 13th, 1858, Mr. Graves says:

"The *opposition* led by brethren Howell and Hillsman burst forth in *all its fury*, when the committee made their report" nominating the Board. "A *most* GROSS, and SHOCKING *attack* was made [by brother Howell] upon *the men* or *some* of the men nominated, because of their opinions with regard to some matters of Baptist policy;" [Landmarkism.] "No one we presume, will question the competency of A. C. Dayton to discharge the duties of the Presidency of the Union." "To brother Sharpe, we suppose no man in Georgia, or out of it, has

yet objected as Corresponding Secretary." "Bro. S. C. Rogers, the *Accountant of the South Western Publishing House*, was recommended for Treasurer, because *it was necessary for some member of that House to fill this office*, if the Board was located in Nashville, since money would be constantly remitted *for books, in the letters sent to the House*, ordering other publications." "H. G. Scovel, the chairman of the Board [of Managers] is a man of large means, an intelligent, *practical business man, Deacon of the First Baptist Church*, and has been for years, the Superintendent of its Sunday School, and a prompt and efficient Board man. Who better qualified than he, for the position of Chairman of the Board? A. B. Shankland has been for twelve or fifteen years, *a deacon of the First Church*, and teacher in its Sunday School, and for seven years a dealer in Baptist books. A. Nelson, *deacon of the church*, and from boyhood until now, either scholar or teacher in the Sunday School, and for some years connected with a Baptist book store. E. F. P. Poole, late of Virginia, for many years a teacher or Superintendent in a Sunday School. Wm. F. Murfree, a brother of liberal education, and fine cultivation, having years' experience as a Sunday School teacher. A. C. Beech, *deacon of First Church*, and teacher in its Sabbath School. S. Fish, for years a Sunday School teacher, and the efficient Superintendent of the Sabbath School at Murfreesborough." "The above are *the names of the Board* nominated by the committee, and if our life depended upon selecting a better board *in the First Church of Nashville*, to decide the proper character of Sunday School books, we could not do it. They would make a better board for this purpose, than would THE SENATE, or any FOUR MEMBERS of THE SENATE OF THE UNITED STATES, or of THE PARLIAMENT OF ENGLAND. We would prefer them to any SEVEN *of the most learned men in the United States known to us, be they* D. D.'s, or L. L. D.'s. These men were trained from earliest childhood, in Sunday Schools; and ever since early manhood, been teachers, or Superintendents in the Sunday Schools. To question their ABILITY, is to offer them THE GROSSEST INSULT, because it would be to *deny them* the possession of *natural capacity*, and *common intelligence*, for they have had during a long series of years, the very education, and training, to fit them for the work of deciding the character of books best suited to children and youth."

I solicit attention brother Moderato, to several things in these extracts evincive of the truth of the charge now preferred against Mr. Graves.

1. He declares that I assaulted these brethren—catalogues of whom he gives several times—FURIOUSLY; that I made upon them a "*most gross and shocking attack.*" Mr. Graves names *four* men. By looking further on we find whom he designates by these "*four*" *men.* They are *four deacons* of this church, Scovel, Shankland, Nelson, and Beech, and then *he names seven;* of whom six only are *members of this church*, the above and two others. Why does Mr. Graves so earnestly persuade these brethren, and reiterate it in his newspaper, week after week, that I have *assailed them furiously?* Why does he fill his columns with the declaration, that I have made upon THEM a "*Most gross and shocking attack.*" Why does he *insist upon it* so frequently, that I have offered them "THE GROSSEST INSULT?" I say nothing now of the fact that all this is utterly false. I shall have occasion for that fact hereafter. What *could be his design but to set these brethren at variance with their Pastor?*

2. Mr. Graves becomes the voluntary champion, and defender of these brethren against the alleged attacks of their Pastor! He declares that I have assailed them *furiously;* that I have made upon them a "*Most gross and shocking attack;* and that I, as he alleges, have offered them "THE GROSSEST INSULT!" He is *their* defender! He tells them it is his duty. Yes he *will* defend them! And his *defense of them*, how delicate it is, I need not remind you. They are all excellent, intelligent, well educated, and some of them classically educated brethren. In their several departments no men in this city stand higher than they do. BUT HE pronounces the *four, my* deacons, as he pleased to call them, superior for his purposes, to any four members of the *Senate of the United States*, or of the *Parliament of England;* and that the *seven* (that he *supposed* to be members of this church, but was mistaken, only six being members) *vastly excel* any seven D. D.'s, or L. L. D.'s known to him! In this fulsome style *he*

defends these brethren against *alleged assaults of their Pastor!* Did he wish them to love, or even to respect their Pastor? Was he not seeking, and that too by falsehood, and detraction on the one hand, and the most offensive and fulsome flattery on the other, to set them against their Pastor?

3. Mr. Graves affirms that I made upon that proposed Board this *furious* onset; this "gross, and *shocking attack;*" offered them this "*gross insult;*" because of their *Landmarkism*, which he denominates "their opinions on some matters of Baptist policy;" and that too, with my written, and published declaration before his eyes, in the letter which he pretends to answer, that *I was not influenced* by that consideration. He did this under the mistaken impression doubtless, that nearly all of these members, were in his sense Landmarkers. In this appeal, as in several others, he overreached himself, but it is not on that account, the less apparent that it was his design to put the officers of this church in conflict with its Pastor. And what could he gain by putting brethren Scovel, Shankland, Nelson, Beech, Murfree, and Poole, even if he had succeeded in doing so, as to all of them, at variance with their pastor? What else could he gain but confusion and division in the church, and perhaps its entire *overthrow? His schismatical purpose is not to be mistaken.*

SPECIFICATION SECOND.

In the Tennessee Baptist, No. 24, dated February 20th, 1858, Mr. Graves says:

"Brother *Howell's attack* upon the Board" was "such an attack *upon men*, and *brethren*, before the *Convention*, and in *their presence* [as] is *without a precedent in our knowledge* It SHOCKED THE FEELINGS *of every Baptist present who heard it, or heard of it*, save those *three* or *four* who were enlisted to *defeat the Union*. That brother H. should lead such an attack, was as *astonishing*, as it was *painful* to all who loved him. We notice this feature of the opposition to the Union with regret seldom felt by us, but as we were the Chairman of the committee that nominated those brethren, instrumental in exposing them without their knowledge, to *such shafts*, by commending them as every way qualified, and suitable to decide upon the proper character of Sunday School books, *we feel in duty bound to* DEFEND THEM."

Referring here, to my high commendation of these very brethren, in my Index letter, Mr. Graves goes on to say—well knowing that *I had made no charge* against *them*:—

"What then can be *the charge* against these men? If they possess the requisite piety, morality, and *intellectuality*, what do they lack? If they are not heretical in doctrine, and possessed of the above rare qualifications, what better Board is needed? In what respect are they so sadly, so fatally disqualified, that *no body of men like them*, would be accepted by brother Howell, to purvey theology for his children? In what light can we place them, admitting them so qualified, as to conclude with brother Howell, that they are wholly incompetent to discharge the duties assigned to that Board? We searched in vain to find it in the *letter*, and then tried in vain to *imagine* it. We knew it could not be *their business qualifications*, for they are well known in this city, to be among our *most reliable business men;* men who have been the architects of their own fortunes; men long used to *manage discreetly, large amounts of money*, from fifty thousand to hundreds of thousands annually. Here we recurred in our mind to brother Howell's speech in the Convention, in which he gave his reasons for opposing the Board, that it seemed to point to *the pecuniary interests of private individual enterprise.*" "What circumstances excited suspicion but the bare fact that such men were nominated? What is the force of brother H.'s significant—we had almost written sneering—expression in his letter, 'Then why create a Board here, and especially *such* a Board?' &c. We ask brother H. with all due respect, and courtesy, what he means by emphacising the term such? Does he mean that these *four Deacons* of HIS OWN CHURCH, as well as the *three other brethren* nominated, are *so* IGNORANT, or UNPRINCIPLED, as to *unfit them* for the work? If not, why say *derisively*, 'And especially such a Board?' We think an explanation is due the committee, and due these brethren. *It would be* DEMANDED FROM ANOTHER MAN, *we are confident.*"

This specification it will be seen, brother Moderator, is in the same spirit, and goes

over much of the same ground with the former one under this charge. Mr. Graves reiterates. I too, must therefore reiterate. I invite attention to the following points:

1. Why does he say that I made an attack upon men and brethren, without precedent? Without precedent for what? He had said in a previous paper, that it was characterised by *fury;* that it was *gross, and shocking;* and several times that it was the *grossest insult.* Did he not seek to make the impression that I had so conducted myself towards these "men and brethren" as to have completely forfeited not only their *confidence,* but even their *respect;* and that they ought to look upon me with *aversion,* as the *traducer* of their character as men and christians?

2. Why does he then designate the men by name, upon whom as he says this *furious, gross and shocking insult* was perpetrated, in their presence, and in the presence of the Convention, as *four of the Deacons, and two other members of my own church,* if he does not wish to bring them *into collision* with me? Why does he leave his own and Mr. Dayton's name out, and place *my deacons up as a mark for the "shaft" directed against the very persons whose names he omitted?*

3. Why does he intimate that I regard these *four Deacons and two other members* of my own church, as too *ignorant,* or to *unprincipled* to be *trusted* with such a work as the creation of books for Sunday Schools? Was he desirous that they should respect their Pastor? Was it not his purpose to bring them *into collision* with me?

4. Why does Mr. Graves dwell upon all this foul creation of his own, endeavor to persuade *these members of this church* that it is true, and *remind them that from any other man* BUT ME, AN ACCOUNT OF IT *would certainly be demanded?* Why *this inflammatory appeal to these brethren?* Was it not to *put them at variance with their Pastor?* And why *bring them* into collision with their Pastor? What is to be *the result of a war between the Pastor, and four Deacons, and two other leading members of the church?* What else can result to the church but injury, division, and overthrow: Was he not laboring with all his might, to 'cause' among you 'divisions, and offences, contrary to the doctrine' of Christ?

SPECIFICATION THIRD.

In the Tennessee Baptist, No. 24, dated February 20th, 1858, Mr. Graves says:

"What a CRUEL SUSPICION—aye, what a GROSS INSULT—is offered to the men whose names were nominated for that Board!" "Here are the names nominated for *a Board* by that committee:—H. G. Scovel, A. B. Shankland, A. Nelson, A. C. Beech, E. F. P. Poole, Wm. Murfree, S. Fish." "We affirm that these men are *above suspicion* in the respect intimated. They are not the men who can be *corrupted by bribe or by favor.* They are not the men—not a man of them—who could be influenced by *any means,* to violate the confidence of the denomination, or to prostitute any trust confided in them, to promote the pecuniary interests of individuals, at the expense of the best interests of the denomination. No *grosser insult* could have been intimated than to suppose they could be used in this way."

In another place in the same number of his paper, Mr. Graves goes on to say:

"Who are the men nominated for a Board, that brother H. is so unwilling to purvey theology for his children, *or any other like them.* FOUR OF THEM ARE THE MOST EFFICIENT DEACONS OF THE FIRST CHURCH: H. G. Scovel, A. B. Shankland, A. Nelson, A. C. Beech. They are pious, intelligent, energetic, business men. The first named brother has, for many years been the Superintendent of the Sunday School, and all, or nearly all of them, experienced teachers in the Sunday School. Brother Howell should withdraw his children, and advise all other parents to withdraw their children from the instruction of such men, if they are unsafe purveyors of *religious instruction* to any man's children. If they *are either unsafe* to be trusted, wholly *incompetent to decide* upon what should be taught to children in Sunday School books, they are even *more unsafe* and incompetent to *teach children directly* in the Sunday School. We again say of these men *against any man's denial,* that SIX better qualified men, either TO MANAGE THE FINANCES of the Union, or to *purvey theology* for any man's children, or to decide upon the books suitable for children, could not be selected in this city, or any city in the South. We would prefer them

to any SEVEN of the most learned men in the United States known to us, be they D. D.'s or L. L. D.'s. These men were trained from earliest childhood in Sunday Schools, and ever since early manhood been teachers, or Superintendents in Sunday Schools. To *question their ability*, is to *offer them* THE GROSSEST INSULT, because it would be to deny them the possession of natural capacity, and common intelligence."

Bro. Moderator I ask attention, in these extracts, to the following points which embody the evidence of Mr. Graves' guilt:

1. He affirms again and again that I have cast upon four of the Deacons, and some other members of the church of which I am pastor, "A CRUEL SUSPICION;" and that I have offered them "THE GROSSEST INSULT."

2. He affirms that I have intimated that these members may be "BRIBED," and are NOT WORTHY of "*the confidence of the denomination.*"

3. He in substance, declares that I have pronounced them *wanting in "natural capacity and common intelligence.*"

But why all this, even had it been true, repeated again and again, and pertinaciously urged in the public prints, *jeering them* mean time, with the declaration that *any other man but me*, would certainly be called to answer for it? Who does not see that he labored earnestly to bring them into collision with their pastor. But why bring them into collision with him? He could have had no other purpose but to distract, *divide*, and if possible, *overthrow, or destroy the First Baptist Church of which we are all members.*

I need not again state that every one of these allegations by Mr. Graves, is false. I never attacked these brethren at all. I did not in my speech in the Convention. I did not in my letter to the Index. I have, however, every reason to be assured that *in placing himself* as he substantially did, at the head of that Board, he sought to have *their names* as a bulwark upon which he might stand before the denomination, and behind which he might shelter himself *against* any attacks made upon his own teachings. It seems that for the present, at least, he was foiled in these purposes. He then in his vengeful wrath took these methods of diverting public attention from the *true issue*, and to bring reproach and injury upon *me*, and upon *this church*. He declares in his paper, and repeats it, week after week, that I had furiously assaulted these brethren, that I had perpetrated upon them a most gross, and shocking attack; that I had offered them the grossest insult; that my onset upon them was unprecedented in all these respects; that I pronounced them too ignorant, or too unprincipled to be trusted with the work of making Sunday School books; that I have cast upon them "a cruel suspicion;" that I have intimated that they may be "bribed;" and that they are wanting in "natural capacity, and common intelligence;" and he calls upon all the thousands of churches in the South, and South West, who never before heard of them, to meet, legislate regarding them, and vote them incompetent; and Mr. Graves himself, sets up for them, an earnest defence against alleged attacks of their Pastor, which attacks in reality never existed. The man who should in a public newspaper, volunteer to defend *my wife and children*, that I have ever loved, and tenderly cherished, declaring that I had insulted and abused them, and pronouncing them "against any man's denial," and especially against *my* denial, superior to any other man's wife and children in America, or in England, I should at once know that he intended, if he possibly could, to render me odious in their sight, and to divide, and destroy us as a family. And what sort of chastisement ought such an intermeddler to receive? In such a work, and no less nefarious and wicked is Mr. Graves now engaged. His purpose was undoubtedly, if possible, to *divide*, overthrow, and destroy the First Baptist Church in Nashville.

If, however, any doubts of his guilt existed before, the events of last Tuesday night swept them all away. After your adjournment, and at the midnight hour, he called upon his partisans, and aided by certain men from abroad, brought here for the purpose, actually and in your own place of worship, when you had retired, consummated *the identical division which he had so long, by the means set forth in the specifications now before you, endeavored to to accomplish.* By appeals of his own, and of some others, he succeeded in leading out of

this church, on that occasion, some twenty-five of your number! Some few of you beheld that scene upon which angels must have looked with sorrow. *The schism denounced by the word of God, was boldly consumated by J. R. Graves.*

Is he guilty of grossly immoral and unchristian conduct, as charged in this count of the indictment? Alas, it is but too true. He is guilty. Painful as it is to us all, guided by the word of God, we are forced to the conclusion *that* HE IS GUILTY.

Mr. Fuller remarked that it seemed the programme of Tuesday night was to be persisted in, and that no defence on the part of Elder Graves is to be made. The case is perfectly plain that Elder Graves, is guilty as charged, and he moved that the charge be sustained, and that the vote of the church be now taken upon his motion.

The charge was then read.

The Moderator. You have heard the charge and the testimony introduced to sustain it: All who believe that the charge against Elder Graves has been sustained by the testimony, will rise.

Upon a count it was ascertained that there were seventy-nine members standing.

The Moderator. All who believe that the charge has not been sustained by the testimony, will rise.

No one rose.

The Moderator declared that the church had decided by a unanimous vote that the charge was sustained.

Dr. Howell moved that a committee be appointed whose duty it should be to confer with those brethren who held a meeting in this church Tuesday night after the adjournment of the regular church meeting, in order to ascertain the purpose they have in view.

The motion was adopted.

Dr. Howell then moved that the Moderator be constituted chairman of that committee, which shall be composed of three, and that he appoint two others.

The motion was adopted, and the Moderator appointed S. M. Scott and A. Nelson said committee.

The church meeting then adjourned, with prayer by Dr. Howell, to meet Monday night at 7 o'clock.

MONDAY EVENING, October 15, 1858.

Met pursuant to adjournment.

The proceedings were opened by reading a portion of Scripture by the Moderator, and prayer by Dr. Howell.

The reading of the minutes was dispensed with.

The Moderator announced that the third count in the charge against Elder J. .R Graves would now be taken up.

Mr. Fuller read the count as follows:

Thirdly, in that he has uttered and published in his said paper against R. B. C. Howell, the pastor of this church, sundry foul and atrocious libels.

Mr. Fuller stated that the proof to sustain this charge is to be found in various numbers of the Tennessee Baptist, which he read as follows:

"What! Brother Howell duped—made use of—made a passive instrument by some one he had not so much as consulted with, to advise and urge in 'a steam speech,' a Baptist Association to do something he himself did not understand, or if he did heartily disapproved and abhorred! Is it probable? Is it even supposable?" "He knew Dayton, and Graves did not conceal the fact that they expected the Convention would become permanent, and furnish *Sunday School Books*, for not a word is said about it except in connection with this object. This is made the basis of the appeal for a convention, 'Sunday School Libraries.'" "But the constitution originates 'another Southern Baptist Publication Society,' says brother Howell. We answered this in the Convention to the satisfaction of all present we think. We do not think this was brother Howell's idea at first, when he called the Convention."

Tennessee Baptist, No. 26, March 6th'

1858. "What great or good enterprise was ever inaugurated without discussion? Not one. What great and glorious enterprise but was sought to be slain at its birth by some Herod? Not one."

"Let brethren remember that no great and good work has ever been accomplished without strife. And it has often happened that *the very men*, who should, of all others, have made peace, are those who stirred up the strife. As in our Savior's time, the Rabbis stirred up the people to resist and destroy what He proposed, and claimed to do it by the will of God. As in the days of the Apostles, the Chief Priests and Scribes, and great men in Israel, verily thought they did God service in opposing the disciples. So it has often happened since. Our titled and leading men have been often found in the ranks of the opposition to the *best and noblest* efforts for the advancement of the cause of truth. *Why* this is so, we need not now stop to inquire."

"The Apostles themselves were accused of 'turning the world upside down.' And their efforts for the cause of truth were more than once the occasion of a much greater disturbance generally than has been raised by our efforts, or brother Dayton, in the cause of the Sunday Schools. Let not those who shout 'Great is Diana of the Ephesians,' accuse us of raising the mob. Who is it that has stirred up this strife? Who made the attack? Who has said the unkind words? Who has attacked personal character? Who has published to the world that the Board nominated are men wholly incompetent to the task proposed to assign it? Who has suggested base and mercenary motives? Who?"

Tennessee Baptist, No. 23, Feb. 13, 1858. "Nothing occurred during the Convention so deeply to be deplored as brother Howell's remarks on what he said *seemed* to point to the pecuniary private interest of individuals. True, he said, *he* made no such charge as that brethren were influenced by pecuniary considerations, but that *others* would think so, the inference would be drawn—he did not draw it, but it would be drawn, &c."

Tennessee Baptist, No. 23, Feb. 13th, 1858. "He [A. C. Dayton,] has done too much good to be let alone. He is enjoying too much of the love, and attracting too much of the attention of Baptists not to be compelled to suffer the penalty, that superiority or great usefulness is ever doomed to pay."

Tennessee Baptist, No. 26, March 6th, 1858. "The ostensible leader of the Anti-Landmark Baptists in this State, while brother Howell was still in Virginia, "was publishing a magazine in this city called the Parlor Visitor. When he could not meet by arguments the reasoning of those whom he opposed, he did not scruple to attempt by dark insinuations to impugn their motives and blacken their character."

Tennessee Baptist, No. 24, February 20, 1858, "He, [Howell,] doubtless knew that such a paragraph as this had been penned and published by a member of the Bible Board. Surely Bro. H. nor any man can think it strange that Bro. D. should feel sensitive to see such an insinuation reproduced by the President of the Bible Board."

[When Mr. Fuller came to the extract containing the letter from W. H. Holcombe, he remarked: It is a well known principle in law, that an editor is responsible for what his correspondents may say, and the courts have so decided.]

Tennessee Baptist, No. 25, February 27, 1858. Mr. Holcomb says: "I am tempted to say some severe things to brother Howell. For our own brethren to assail each other and some of our *time honored principles*, is indeed strange and very mortifying to me."

"It is the province of Dr. H. to teach his brethren the doctrines of the Bible, surely they will not remain in ignorance much longer."

"If, after all, the whole ground of charge is that brother Graves as editor, and his Publishing House is destined to become more popular than the Southern Publication Society at Charleston, should our brethren complain? If the '*Tennessee Baptist*' is the most able and popular Baptist paper South, what of that?"

Tennessee Baptist, No. 29, March 27, 1858. Mr. Baldwin, says: "As to the Sunday School Union, we are in favor of its organization, and regard the attacks

made upon it by some of our milk and water Baptists as an attack on men for their Landmark principles more than anything else."

Tennessee Baptist, No. 30, April 3, 1858. Mr. Hardwick says: "I am astonished that men heretofore noted for piety and christian courtesy should treat Baptist as you and some of your friends have been treated."

"Let the work of proscription go on. It cannot last long."

"At no distant day you will hear from them, and others will learn by bitter experience that opposition to truth is not always profitable."

"Men in the West are trying to counteract your influence, and if not, to destroy or curtail your business."

Mr. Graves says: "If the course of some brethren injure them it is not our fault. We sought to prevent it."

Tennessee Baptist, No. 31, April 10, 1858. W. H. Barksdale, "I abominate that pusillanimous spirit, which crouches before clearly perceived wrongs, and will permit innocence to be suspected, and well earned reputation traduced merely because the name of some popular and influential one is in some way connected with the slanderous rumor. Now, sir, at the risk of my 'good name,' I will here breast the storm in the defence of the slandered Pendleton, the traduced Dayton, and the caricatured Graves."

"Did either of them accuse Dr. Howell of *preaching for money?* Did either of them say that Dr. Howell could not so much as read the word religion on account of an *intervening guinea?* Although he would not go to a single Association, however important, unless the brethren would first pledge him pecuniary aid." "Every one present, however poor, promised to try to attend some two or three of these meetings, save one brother, and that brother was Dr. Howell, whose *guinea* seemed quite suggestive! For if I remember correctly, he invariably answered, whenever in the affirmative, by saying, '*Dr. Howell will go, if Dr. Howell's expenses are paid?*' Now when those whose salaries were quite insignificant when compared to his, and whose expenses were equally as great, were willing to go at their own expense, for the privilege of sitting together with their brethren in 'Heavenly places, in Christ Jesus.' and yet Dr. Howell would not so much as go to a single one, without prefacing his promise with the condition of pecuniary aid, I could not, for my life, keep his 'gourd handle' out of my brain. And yet who, until brother Howell and others sought to 'crush out' and choke down certain men and their enterprises, would have ever thought how beautifully his anecdotes all might be illustrated nearer home."

Graves: "Read the article of Elder Barksdale. Bro. B. was a member of the Committee to draft a constitution—an anti-Landmark man—not ultra—and the warm personal friend of brother H. He speaks what he does know, and testifies of what he has seen, and his testimony will have great weight."

Same paper. (J. J. Martin.) "I have been surprised, and so have many others, at the course taken by certain individuals—some of whom are titled and famous for the discovery of 'gourd handles' in so furiously attacking old Land-markers, for the war is against men instead of measures. But go on my brother, you are in the right, and true Baptists will stand up to you."

Tennessee Baptist, No. 32, April 17, 1858. (Jones.) "The strange, and I must say, unchristian production of Dr. Howell has distressed and mortified me deeply. What good could he expect to grow out of such a production? All good Baptists will be mortified at it. And has it come to this, that Dr. Howell is seeking popularity from the Pedoes, by striking down his friends who are laboring for the advancement of truth."

(T. H Thurman.) "I have read with sorrow of the course pursued by Bro. Howell, and others, relative to the action of the Southern Sabbath School Union. I had not expected that Elder Howell would have occupied a position so suicidal to the interests of our churches and children."

The testimony to sustain the third charge having been read,

The Moderator inquired if there was any rebutting testimony to be offered.

None having been offered,

The Moderator announced that the case was open for any remarks that may be submitted by the prosecution or defence.

Dr. Howell said:

Brother Moderator and Brethren:

It was not my purpose again to have addressed you at length, in the progress of this trial. It is thought by brethren, however, that upon this count, at least, in the charge before you, I ought to do so. I am sick, sick of these disgraceful details, through which J. R. Graves compels you to wade. Yet I shrink from no duty. And I willingly assume the task, however painful, which is necessary to vindicate this beloved church from the reproach and shame, sought to be brought upon it, by the Senior editor of the *Tennessee Baptist*. I do it for the honor of Christ, for the vindication of His truth, and for the defence and prosperity of His cause, and His people. I beg you, therefore, of your clemency, to hear me patiently.

The count in the charge now before you is as follows:

"We, the undersigned, members of the First Baptist Church, Nashville, Tennessee, charge Rev. J. R. Graves, a member of said church, and one of the editors of the Tennessee Baptist, with *grossly immoral, and unchristian conduct*, in that he has uttered, and published in his said paper against R. B. C. Howell, the pastor of this church, sundry foul, and atrocious libels.

A *libel*, brother Moderator and brethren, and a *slander*, are very nearly allied to each other. A *slander* is "a false tale or report, maliciously uttered and tending to injure the reputation of another by lessening him in the esteem of his fellow-citizens." To *slander* is to defame, to injure by maliciously uttering a false report respecting one; to tarnish or impair the reputation of one, by false tales maliciously told, or propagated," A *libel* is the same thing *written* or *printed*. A *slander* may be a mere *verbal* utterance. A *libel*, according to Blackstone, "is a defamatory *writing*." It is "any book, pamphlet, writing, or picture, containing representations maliciously made, or published, tending to bring a person into contempt, or expose him to public hatred or derision. The *communication* of such defamatory writing to *a single person*, is considered in law, *a publication*. It is immaterial in respect to the *essence* of a libel, whether the matter of it be true, or false, since the *provocation*, and not the *falsity*, is the thing to be punished *criminally*. But in a *social* action, a libel must appear to be *false*, as well as *scandalous*."

Such are the laws of our country. Civil government has ever found it necessary to guard the people against the foul aspersions of the slanderer, and libeller, by the most stringent enactments. The word of God on this whole subject, is most explicit. I will refer to a few passages as examples of the divine teaching:

Solomon says: Prov. vi, 16–19: "These six things doth the Lord hate; yea, seven are an abomination unto him: a proud look, a lying tongue, and hands that shed innocent blood; a heart that deviseth wicked imaginations, feet that be swift in running to mischief, a false witness that speaketh lies, and him that soweth discord among brethren." The ninth commandment is expressed thus: "thou shalt not bear false witness against thy neighbor." Another of the laws of God by Moses, is thus briefly expressed: Exodus xxiii. 1: "Thou shalt not raise a false report."

In these and like terms the promulgation of falsehood, without regard to motive, is rebuked. The act itself is sinful. It is expressly forbidden, and declared hateful to God. If falsehood itself is sinful, how much more sinful is libel?—falsehood stated with intent to injure—a sinful act prompted by a sinful motive. Falsehood is a violation of truth and right, libel is a violation of truth and right and love. Falsehood is not necessarily prompted by a sinful motive, libel is the offspring of baleful passions, of hate and revenge. A desire to injure is opposed to the spirit of the gospel. Had I injured Mr. Graves, still, malice and revenge have no sanction in the word of God. But I had not injured him. These imputations upon my reputation, these libels on my character were unprovoked. He violated the laws of God and the laws of man to inflict a wanton injury upon me. It is needless to dwell upon the moral quality of acts which civil laws do not tolerate. If libel is abhorrent to frail imperfect man, how must it appear to the eye of Infinite Holiness? We will now, with the laws of man, and the laws of God distinctly before us, and referring, as heretofore, to Mr. Graves' paper alone for our

testimony, adduce the following specifications in proof of his guilt.

FIRST SPECIFICATION.

In the Tennessee Baptist, No. 24, dated February 20th, 1858, speaking of my letter in the Christian Index, before frequently referred to, Mr. Graves says:

"What! Brother Howell duped—made use of—made a passive instrument by some one he had not so much as consulted with, to advise and urge in 'a steam speech,' a Baptist Association to do something he himself did not understand, or if he did heartily disapproved and abhorred! Is it probable? Is it even supposable?" "He knew Dayton, and Graves did not conceal the fact that they expected the Convention would become permanent, and furnish *Sunday School Books*, for not a word is said about it except in connection with this object. This is made the basis of the appeal for a convention, 'Sunday School Libraries.'" "But the constitution originates 'another Southern Baptist Publication Society,' says brother Howell. We answered this in the Convention to the satisfaction of all present we think. We do not think this was brother Howell's idea at first, when he called the Convention."

I ask the attention of the church to the following considerations in connection with the above extracts:

At the Concord Association of last year I was made chairman of a committee on Sunday Schools. I stated to the Association, when appointed, that I could not accept it, unless another member of the committee would write the report. A report, written by a brother, and slightly modified by myself, was submitted by me. That report advised the call of a convention at the approaching meeting of the General Association at Nashville, to take into consideration the subject of Sunday Schools.

1. In the above extract, it is asserted that I urged the Association to call this convention; and unless I urged the Association to do something I did not understand, that I understood what the convention was to be, with its objects and designs; and that, if I did understand, I approved it, or else I urged upon the Association an object I disapproved and abhored. He thus holds me up before the public in a false attitude, misrepresents my views and positions, in order to bring me into odium or contempt. He presents me in the attitude of one who either urges a thing he knows nothing about, or favors a thing in its incipiency which he afterwards endeavors to crush. This was calculated to throw me into contempt, or to expose me to odium. It is not necessary that I should show that it is false as well as malicious. I had in my mind a distinct conception of what it was proper for such a convention to consider and to propose, but those objects were very different from the purposes which it was afterwards attempted to carry out through it. The statement that I did not understand what I advised is false: the alternative that I approved of the convention with the purposes to which they designed to apply it, is also false.

Mr. Graves' proceeding in his endeavor to show that I knew the ulterior purposes to which they intended to apply the convention states,

2. That "Graves and Dayton" did not conceal from me the fact that they expected the convention would become permanent, and furnish Sunday school books, and thus be moulded into the shape which it was afterwards attempted to give it.

3. That I knew their expectation or design, which they did not conceal.

4. That it was not my idea at first, when the convention was called, that the organization of a new Board of Publication would originate a new Baptist Publication Society.

It is impossible for me to dwell upon all the allegations of Mr. Graves at length. From what has been already stated in this connection it will be seen that these statements are all untrue; and they were evidently designed to expose me to public hatred and derision.

SECOND SPECIFICATION.

In the *Tennessee Baptist*, No. 26, dated March 6th, 1858, Mr. Graves says:

"What great or good enterprise was ever inaugurated without discussion? Not one. What great and glorious enterprise but was sought to be *slain at its birth by some Herod?* Not one." "Let brethren remember that no great and good work has ever been accomplished without strife. And it has often happened that *the very*

men who should of all others have made *peace*, are those who stirred up the strife. As in our Saviour's time, the Rabbis stirred up the people to *resist*, and *destroy* what he proposed; and claimed to do it by the will of God. As in the days of the Apostles, the Chief Priests, and Scribes, and great men in Israel, verily thought they did God service in *opposing the disciples*, so it has often happened since, our *titled* and *leading men* have been often found in the ranks of the opposition to the *best* and *noblest efforts for the advancement of the cause of truth*. Why this is so, we need not now stop to inquire." "The Apostles themselves were accused of *turning the world upside down*. And their efforts for the cause of truth, were more than once the occasion of a much greater *disturbance* generally, than has been raised *by our efforts*, or brother Dayton, in the cause of the Sunday Schools. Let not those who shout 'Great is Diana of the Ephesians,' *accuse us of raising the mob*. Who is it that has stirred up this strife? Who made the attack? Who has said the unkind words? Who has attacked personal character? Who has published to the world that the Board nominated are men wholly incompetent to the task proposed to assign it? Who has suggested base and mercenary motives? Who?"

1. Since the wicked king of Judea sought to slay the infant Saviour, and to accomplish his bloody purpose, slew the infants of Bethlehem, the name of Herod has been a synonym for unscrupulous ambition, heartless cruelty, and detestable baseness. The epithet designates not a man, but a monster. When it is applied to any one it awakens in the mind the character of the monster Herod, and transfers it to the person so designated. Politicians sometimes, when they desire to brand an opponent as unfaithful to his country, call him an Arnold. Vituperation reaches no higher, than to designate a cruel man as a Nero. And to stigmatize a man as a Herod, is to apply to him every reproachful epithet which is applicable to that hateful character. And this is what Mr. Graves here does to me. I am the Herod who sought to slay in its birth his "great and glorious enterprise." As Herod sought to slay at his birth the Saviour of the world, whom every Christian loves, and thus incurred the detestation of every christian heart, so I with similar opposition and similar baseness, sought to slay in its birth the organization of a Board in this city for publishing Sunday School books. A man would hesitate to apply such an epithet to his worst enemy, much less to a christian brother. It is needless to dwell upon the christian character of such "railing accusations." It is also unnecessary that I should assert that it is unmerited by me—that in my opposition to that enterprise I was influenced by no unworthy motive, that I was impelled by no personal considerations, of ambition for myself or hostility to Mr. Graves, but was actuated only by a desire which has directed all the actions of my life, to advance the interests of the Redeemer's kingdom.

2. Mr. Graves asserts that I, the very man, who should have made peace, stirred up the strife. All that I had done in this matter is comprised in a short speech in the Sunday School Convention, and in the letter to the Christian Index, which you heard read last night. In neither of these did I do anything to stir up strife, unless candid and conscientious dissent from the views of Mr. Graves necessarily induces strife on his part. This declaration, however, is in entire harmony with his policy, which is constant aggression; and whenever his aggressive acts are opposed, to raise the cry of persecution. I can, with a clear conscience, say to Mr. Graves as did the Prophet of Israel: "I have not troubled Israel, but thou and thy *house*."

3. That as in the Saviour's time the Rabbis stirred up the people to resist and destroy what he proposed, and claimed to do it by the will of God, so I have stirred up the people to resist and destroy what Mr. Graves proposed, and claimed to do it by the will of God. The Rabbis upon whom our Saviour denounced his woes, and who hypocritically opposed all his designs, are by the christian world viewed as the types of all hypocritical, selfish, and malevolent opposition to rightousness. To compare me to them can be done only with a view to transfer to me the odium which all time has impressed on the character of a Jewish Rabbi. Of a like nature is his next allegation.

4. That as in the days of the Apostles the Chief Priests and Scribes and great men in Israel opposed the disciples, so I, with other titled men, have opposed Mr. Graves and his allies in their noblest efforts for the advancement of truth.

5. That as the Apostles were accused of turning the world upside down, and opposition to their efforts bred disturbances, so the present disturbance has been bred by similar opposition by myself and others to Mr. Graves.

6. That I and others, not Mr. Graves, have raised the mob, of which he speaks, by crying, "Great is Diana of the Ephesians," that is, defending the Southern Baptist Publication Society, and resisting the appointment of another Publication Board in this city to supercede it.

The motives of Mr. Graves in the advocacy and prosecution of this enterprise have not been questioned by me. But the design which he promoted—the appointment of another Board of Publication—I honestly opposed because I thought it calculated to distract the Baptist Churches of the South. Its deplorable influence in this respect has been seen. It seemed to me that a lover of the cause of Christ, should not promote division, when the source of contention was not a religious principle, but only a question, whether Sabbath School Books should be published here or in Charleston. I knew that many brethren were opposed to the inauguration of a new Publication Society, hence it would tend to retard the advance of Sabbath Schools. I did not think that another society was needed, as the one already in existence was sufficiently able to meet all our wants in this respect. Hence, I thought the enterprise had better be dropped, as pressing it would only lead to needless contention between its advocates and the friends of the Southern Baptist Publication Society. But in advocating this opinion, I excited no mob, I roused no contention. I calmly took a position, which, in its results, would tend to harmony and peace. The falsity of these charges, their injustice to me must be seen. Every one not totally blinded by prejudice must see that all this contention is the result of Mr. Graves' own course. Indeed the contention was all his own. He filled the land with his cries and railing; all the while endeavoring to make his readers believe that the noise was not his own. He charges me and others with raising the dust caused by the furious driving of his own chariot.

7. That I attacked his personal character and thus stirred up all this strife.

8. That I suggested base and mercenary motives and this excited contention.

In regard to the last two allegations, I desire to call the attention of the church to a statement of Rev. Mr. Pendleton, then his assistant, now his associate editor, and his special friend and advocate. In the Tennessee Baptist, February 13th, 1858, he says:

"Nothing occurred during the Convention, so deeply to be deplored as brother Howell's remarks on what he said *seemed* to point to the pecuniary private interests of individuals. True, he said he made no such charge as that brethren were influenced by pecuniary considerations, but that others would think so The inference would be drawn. He did not draw it, but it would be drawn."

The writer of this paragraph will not be suspected of *mitigating* the tendency of my remarks. His evident design is to place them in a strong light, so as to render them as "deeply to be deplored" as possible. Does he say that I made any personal imputations upon the character of Mr. Graves, or any one else? No, but that I positively disclaimed all intention to make any such imputation. These two last allegations made to injure me in public estimation are like the others, utterly groundless. What was the object of Mr. Graves in all these railing accusations against me? Why does he charge me with being a Herod—with acting like the Rabbis—with pursuing the same course as the chief Priests and Scribes—with stirring up all this strife—with raising a mob by crying with others great is Diana of the Ephesians—with opposing the best and noblest plans for the advancement of truth—with attacking his personal character—with imputing to him base and mercenary motives?! They are false allegations, evidently maliciously made and published, with a design to my injury. They undoubtedly tend to bring me into contempt and expose me to public hatred and reproach. They are therefore libels, pun-

ishable by the laws of men, and hateful in the sight of God. This is not merely *railing against me*, but it is RAILING *the allegations of which, are falsehoods*, and *falsehoods* MALICIOUSLY PUBLISHED. If the *word of God* DENOUNCES A RAILER, how much more such aggravated conduct as this.

THIRD SPECIFICATION.

In the Tennessee Baptist. No. 23, dated February 13th, 1858, speaking of me, and others, Mr. Graves says:

"He [Mr. Dayton] has done too much good to be let alone. He is enjoying too much of the love, and attracting too much of the attention of Baptists, not to be compelled to suffer the penalty that superiority, or great usefulness is ever doomed to pay."

And in the Tennessee Baptist of March 6th, 1858, No. 26, he says:

"The ostensible leader of the anti-Landmark Baptists in this State, while brother Howell was still in Virginia," "was publishing a magazine in this city, called the *Parlor Vistor*. When he could not meet by arguments the reasoning of those whom he opposed, he did not scruple to attempt by dark insinuations, to impugn their motives, and blacken their character."

And in the Tennessee Baptist, No. 24, February 20th, 1858, Mr. Graves says:

"He [Howell] doubtless knew that such a paragraph as this had been penned and published, by 'A Member of the Bible Board." Surely brother H. nor any man, can think it strange that brother D. should feel sensitive to see such an insinuation, reproduced by the President of the Bible Board."

Before calling attention to several libels in these extracts, I will remark that by "A Member of the Bible Board," Mr. Graves has reference to an article published in the newspapers with that signature. Who the writer of that article is, as I have before said, I do not know. Dr. Jones, the late editor of the *Parlor Visitor*, assures me he did not write it; and up to this hour I have never seen the article to which he refers in the *Parlor Visitor*.

1. Mr. Graves in this specification avers that I persecute Mr. Dayton, because he [Mr. Dayton] does so much good.

2. That I hate Mr. Dayton, because he [Mr. Dayton] enjoys so much of the love of the Baptists.

3. That I compel Mr. Dayton to suffer, because of his [Mr. Dayton's] superiority, and great usefulness.

4. That I, as Dr. Jones, is alleged to do, do not hesitate to impugn Mr. Dayton's motives, and blacken his character.

5. That I do this, reproducing Dr. Jones' alleged disparagement, in my capacity of President of the Bible Board.

What passion in the human breast is so despicable as envy? What so excites the contempt of mankind as its display? But when, from a simple emotion, it becomes an actuating impulse, urging forward to pull down and destroy its object, contempt is changed to abhorrence. And this is the base, vile, despicable passion, which Mr. Graves here attributes to me, and assigns as the motive for my alleged imputations on Elder Dayton. Had this base feeling ever rankled in my bosom, self-loathing would be too intense for words, and I should be justly exposed to the abhorrence and contempt of all good men, which the editor of the Tennessee Baptist has thus endeavored to excite against me. However good or great the author of Theodosia may be, it has never struck me that I had cause to envy his worth, his greatness, or his popularity. I have felt that the favor of my brethren has been bestowed on me in a measure, at least equal to my merits, and a brother deserving and enjoying the same approval has ever been to me the source of unfeigned pleasure. But not content with misrepresenting my actions and putting a false gloss upon my expressions, the editor of the Tennessee Baptist must attribute to me the basest motive. He charges me with having assailed Elder Dayton which is not true, and then falsely attributes this attack falsely charged, to the base, unworthy motive of envy.

Is it to be wondered at that noble hearted brethren, loathing all that is base and vile, and believing these representations to be true, should be prejudiced and excited against me? Such was evidently the design of Mr. Graves, in publishing against me these "foul and atrocious libels."

FOURTH SPECIFICATION.

Mr. Graves having now succeeded in ma-

king an impression on the minds of probably not a few of his readers against me, by *ex parte* and false statements, in his paper, not a few write articles in which they reflect the views derived from him. Having doubtless innocently, in many instances, received false impressions from the representations in his sheet, these impressions are reproduced in their communications. Being based upon falsifications, and misrepresentations, these *reflected* views, are, from their very nature as reproductions necessarily untrue. Of the writers of these letters I will be permitted to say a word or two. Most of them I know personally, and with all of them up to the appearing of their articles in the Tennessee Baptist, I supposed my relations to be of the most cordial and affectionate character. I am sure I always loved them sincerely. Nor am I conscious of ever having inflicted injury on any of them. That they should have suffered themselves thus to be misled is deeply painful. I know of no cause why they should pursue me in this manner.

Mr. Graves has labored to produce these false impressions regarding me upon the minds of his readers, and he now endeavors to deepen them by publishing these reflections of his own libellous allegations.

Mr. Graves knows that he is legally and morally responsible for the publication of these injurious statements. A few years ago he was heavily mulcted in damages for a defamatory article of a correspondent, which was not endorsed by him. These articles are all published with his approval, and several of them with his special endorsement. And giving them thus to the public he is morally and legally responsible for the injury thus inflicted on me. Indeed the whole responsibility is mainly his own, since these articles, in some instances perhaps were not intended for the public eye, and therefore were not directly intended by the writers to injure me. Such are, so far as the correspondents are concerned, simply false statements in regard to me. And even in this, they are honest, believing them to be true, in that they have been deceived by the false statements of Mr. Graves. But the editor of the Tennessee Baptist seizes upon them as means for the accomplishment of his purpose, and heralds them to the world, in order to deepen and widen the injury, he was attempting to inflict upon me. He thus makes the statements his own, and the malicious intention, with which they are heralded over the land, is all his own. It is evident that he is responsible for thus endeavoring to poison the public mind, by presenting these statements of his correspondents.

FOURTH SPECIFICATION.

Rev. Wm. H. Holcombe of Mississippi, writes in the Tennessee Baptist, No. 25, dated February 27th 1858, as follows:

"I am tempted to say some severe things," [to brother Howell] "For our own brethren to assail each other, and some of our *time-honored principles*, is indeed strange, and very mortifying to me." "It is the province of Dr. H. to teach his brethren the doctrines of the Bible. Surely they will not remain in ignorance much longer." "If after all, the whole ground of charge is, that brother Graves, as editor, and his Publishing House, is destined to become more popular than the Southern Publication Society at Charleston, should our brethren complain? If the *Tennessee Baptist* is the most able, and popular Baptist paper South, what of that?" Upon this letter Mr. Graves comments thus: "Will his [Mr. Holcombe's] voice be heard now? Will brother *Howell*" regard it?

In the Tennessee Baptist, No. 29, March 27th, 1858, a writer spoken of as a Mr. Baldwin, and who dates his communication at Kingsport, Tennessee, speaks thus: "As to the Sunday School Union we are in favor of its organization, and regard the attacks made upon it, by some of our milk-and-water Baptists, as an attack on men for their Landmark principles."

Mr. Graves, in the Tennessee Baptist, No. 30, dated April 30th, 1858, publishes a letter from J. B. Hardwick, Riceville, Virginia, a young man that I greatly love, and that I suppose to be talented, modest and pious, having known him for several years, in which he refers to me thus: "I am astonished that men heretofore noted for piety, and christian courtesy, should treat Baptists as you and some of our friends have been treated." "Let the work of proscription go on. It cannot last long." "At no distant day you will hear from them [the masses] and others will learn by bitter

experience, that opposition to truth is not always profitable." "Men in the West, are trying to counteract your influence, and if not to destroy or curtail your business." Upon the letter from which these extracts are made, Mr. Graves says: "If the course of some brethren injure them, it is not our fault. We sought to prevent it."

In the Tennessee Baptist, No. 31, April 10th, 1858, Rev. Wm. H. Barksdale, a young man of Helena, Arkansas, in whom I had taken much interest, and supposed to understand what is due to the amenities of life, writes as follows:

"I abominate that pusillanimous spirit which crouches before clearly perceived wrongs, and will permit innocence to be suspected, and well earned reputation traduced, merely because the name of some popular and influential one, is in some way connected with the slanderous rumor. Now sir, at the risk of 'my good name,' I will here breast the storm in the defence of the slandered Pendleton, the traduced Dayton, and the caricatured Graves." "Did either of them accuse Dr. Howell of *preaching for money?* Did either of them say that Dr. Howell could not so much as read the word religion on account of an *intervening guinea*, although he would not go to a single Association, however important, unless the brethren would first pledge him pecuniary aid." Every one present, however poor, promised to try to attend some two or three of these meetings, save one brother, and that brother was Dr. Howell, whose guinea seemed quite suggestive. For if I remember correctly, he invariably answered, *Dr. Howell will go, if Dr. Howell's expenses are paid.*' Now when those, whose salaries were quite insignificant compared to his, and whose expenses were equally as great, were willing to go at their own expense, for the privilege of sitting together with their brethren in Heavenly places in Christ Jesus,' and yet Dr. Howell would not so much as go to a single one, without prefacing his promise with the condition of pecuniary aid, I could not, for my life, keep his 'gourd handle' out of my brain. And yet who, until brother Howell, and others, sought to crush out,' and choke down certain men, and their enterprise, would have ever thought how beautifully his anecdotes all might be illustrated nearer home."

The Commentary with which Mr. Graves accompanies this production, is as follows:

"Read the article of Elder Barksdale." "Bro. B. was a member of the committee to draft a Constitution; an Anti-Landmark man, not ultra, and the warm personal friend of brother H. He speaks what he does know, and testifies of what he has seen, and his testimony will have great weight."

Rev. J. J. Martin, of Wilson county, Tennessee, says in the *Tennessee Baptist.*, No. 31, dated April 10th, 1858:

"I have been surprised, and so have many others, at the course taken by certain individuals, some of whom are *titled*, and famous for the discovery of gourd handles, in so furiously attacking Old Landmarkers; for the war is against *men*, instead of *measures*. But go on my brother, [Graves,] *you* are in the *right*, and *true Baptists* will stand up to you."

In the *Tennessee Baptist*, No. 32, April 17th, 1858, a Mr. Jones, of Campbell county, Virginia, of whom I know nothing, says:

"The *strange*, and I must say *unchristian* production of Dr. Howell, has distressed, and mortified me deeply. What good could he expect to grow out of such a production? All good Baptists will be mortified at it. And *has it come to this, that Dr. Howell is seeking popularity from the Pedoes, by striking down his friends*, who are laboring for the advancement of truth?"

In the same paper, a Mr. T. H. Thurman, unknown to me, who writes from Texas, says:

"I have read with sorrow of the course pursued by brother Howell, and others, relative to the action of the Southern Sabbath School Union. I had not expected that Elder *Howell* would have *occupied a position so suicidal to the interests of our churches and children.*"

The extracts here submitted embrace a few only of the disparaging communications, which Mr. Graves has elicited from his correspondents, and published, with a view to my injury. Most of these correspondents were undoubtedly deceived by *his* exparte and outrageous representations. Otherwise I do not think they could have writen as we have seen they have. Some of them, as I have heard, have written to Mr. Graves,

withdrawing their statements, but he has refused to publish any such withdrawals. I the more lament therefore their appearance here in this relation; but you could not avoid it. Mr. Graves has dragged them before the world, and subjected them to the consequences of his act. He has betrayed them into false and libelous statements, which he has not only not corrected, but has, as we have seen, commended to his readers as true in themselves and important in all their bearings. The position of these correspondents is a painful one, to themselves, and to me. Betrayed into false and injurious allegations by the misrepresentations of Mr. Graves which induced them to believe them true, I desire to distinguish between the libels and the persons who, under mistaken impressions produced them. This, however, does not apply to Mr. Graves. He excited these false impressions in the minds of his readers; he thus induces them to make false and injurious statements, and then maliciously heralds the libels to the public. I proceed to point out some of these gross libels which Mr. Graves has published against me:

Mr. HOLCOMBE alleges:

1. That I have assailed time honored principles of the Baptists in my opposition to the proposed Board.

2. That I have assailed the Tennessee Baptist, and that too, because it is the most able and popular Baptist paper in the South.

3. That I have assailed Mr. Graves' publishing house because it is destined to become more popular than the Southern Baptist Publication Society at Charleston.

I need not declare before you, brother Moderator, that in my course "I have assailed no time honored principle of the Baptists." The statement is merely a reproduction of intimations of the Tennessee Baptist. Mr. Graves was aware at the time he published this libel against me, that it was false. But he knew, that with many of his readers, the truth of an injurious statement would never be investigated, and that falsehood would accomplish his injurious purpose better than truth. If the impression could be made, that I was assailing time honored principles of Baptists, he knew that odium would be heaped upon me, without inquiry in regard to its justice.

That I have assailed the paper and the Publishing House of Mr. Graves is also untrue. I have not been the assailant but the assailed. But here Mr. Graves publishes to the world this injurious statement, which he knew had no foundation in fact, but was only a reproduction of his own false allegations; and also publishes to the world that I was actuated to this alleged assault by that base motive, envy of their popularity and influence. Why does Mr. Graves publish these false and injurious statements? He could have no motive, but to destroy my reputation, and ruin my character in the minds of his readers. This publication of Mr. Graves is an atrocious libel on my character.

Mr. BALDWIN alleges:

1. That I am a milk-and-water Baptist.

2. That my efforts to prevent the organization of a new publication Board to be located in this city, was an attack on men for their Landmark principles.

The first of these allegations is unworthy of notice. My labors for nearly forty years to advance Baptist principles speak for me.

That my opposition to the proposed Board in this city was an attack on men has already been shown to be false. This is merely a reproduction of Mr. Graves' former statements which have been already answered.

These allegations, however, answered well Mr. Graves' purpose and were published by him to produce injury to me.

Mr. HARDWICK alleges:

1. That in resisting the organization of that Board I proscribed Mr. Graves.

2. That in said resistance I opposed the truth.

3. That my object was to counteract and destroy Mr. Graves' influence.

4. That I seek to destroy or curtail Mr. Graves' business.

5. That I have, in this affair, departed from piety and courtesy.

This is all the echo of Mr. Graves' unfounded declarations. The writer of this communication was evidently deceived by the assertions of the Tennessee Baptist. But this does not mitigate the character of Mr. Graves' conduct in parading these statements before the public, with intention to injure me. Why did Mr. Graves publish to the world that I proscibed him; that I was

opposing the truth; that my design was to counteract and destroy his influence; to destroy or curtail his business; and that my course was inconsistent with piety and courtesy; but because such publications would necessarily tend to injure me and destroy my character among his readers? It is unnecessary to stop here to prove that these allegations are false. It is proved by the statements in my speech on the last night, which it isnot necessary to reproduce.

Mr. BARKSDALE alleges:

1. That I wronged Mr. Graves, cast suspicion upon his innocence, and traduced his well earned reputation.

This assertion is based upon my remarks in the Sunday School Convention, and has been proved by the testimony of Mr. Pen dleton to be false. The object of my remarks which have been so wrested from their purpose, was to endeavor to induce Mr. Graves not to press the question of the Board, lest interested motives might be imputed to him. This was said in the kindest feeling. It had nothing of the nature of a taunt. All such intention was earnestly disclaimed.

2. That relying upon my reputation to sustain me, I have slandered Pendleton, traduced Dayton and caricatured Graves.

Nothing in regard to Mr. Pendleton has been published by me. The falsity of the other allegations has already been sufficiently demonstrated.

3. That I am a mercenary man, led in what I do by pecuniary considerations.

4. That my purpose is to "choke down" and "crush out" Messrs. Graves, Pendleton and Dayton.

Passing the third allegation, which is unworthy of notice, I remark of the fourth that it becomes well its association with the other, from its recklessness, and its appeal to partisan prejudice. That Mr. Graves published with commendation these libels, is proof of his relentless determination to destroy me as far as it lay in his power.

Mr. MARTIN alleges:

1. That my opposition to the proposed Publication Board was a furious attack upon old Landmarkers.

2. That it is a war against men and not measures.

The falsity of these allegations is apparent from statements and arguments already adduced. I do not notice the sneer which his communication contains.

3. That I am not a true Baptist.

I pass that also as unworthy of notice, since I am in this respect not unknown to my brethren.

Mr. JONES alleges:

1. That my letter to the Index was unchristian. The church, brother Moderator, heard that letter read last night, and you saw how groundless are the accusations based on it.

2. That I am seeking popularity with Pedo-Baptists, by striking down my friends.

That I was laboring to strike down any one, has already been shown to be false. The other allegation which Mr. Graves publishes to the world, does not merit notice by me.

Mr. THURMAN alleges,

That my opposition to the proposed Board is suicidal, [I suppose he means destructive] to our churches and children.

Such are the publications, brother Moderator and brethren, by which Mr. Graves has sought to destroy my character. They are false. They all tend, without doubt, to bring me into contempt, and to expose me to public hatred and derision. That they were published with that design, you cannot for one moment doubt. They are therefore libels. For them all, Mr. Graves is, as we have seen, fully as responsible, legally and morally, as if he had written them himself. He eagerly gathered them up, and as I happen to know, in some instances at least, published them without the consent of the writers. He delibrately selected and printed them with malicious intent to do me injury. And how well are they calculated to effect his object. With what am I falsely charged in these libels, so eagerly published by Mr. Graves. The allegations are not trivial. I am falsely charged as assailing time honored principles of Baptists; opposing the truth; proscribing Mr. Graves; attempting to counteract and destroy his influence; to destroy or curtail his business; as casting suspicion upon him; as traducing his reputation; as slandering traducing and caricaturing

Messrs. Pendleton, Dayton and Graves; as desiring to "choke them down" and "crush them out;" as, actuated by envy, assailing the *Tennessee Baptist*, and South-Western Publishing House; as furiously attacking men for their Landmark principles; as maintaining a position suicidal to our churches and children; as seeking popularity with Pedoes, by striking down my friends; as being a milk-and-water Baptist; as being a mercenary man actuated by pecuniary considerations. Such are some of the libels, by publishing which, Mr. Graves has labored sedulously for months to destroy me. And yet you heard him say that he had never had unkind feelings towards me; that he had never desired to injure me. What! Were all these publications made in regard to a brother he loved? Did he entertain towards me the love required by the Gospel, when he was thus laboring for my destruction? Were these publications prompted by the charity which thinketh no evil? Did the Spirit of Christ influence him thus to violate the commands of the Savior?

If these allegations were true, still Mr. Graves would be convicted of railing against his brother. If they had not been maliciously published, with intent to ruin me, still he would be convicted of a crime, which the Apostle declares to be a sin against Christ. But they are false; but they are maliciously published; and what is the intensity of Mr. Graves' moral guilt?

Take these libels all together, every one of which is clearly deduced from extracts taken from his paper—and a copy of each one quoted now lies before you, that you may, by an examination for yourselves, see that the quotations are all authentic, and fairly made—and what shall we say of the moral attitude of Mr. Graves, as a member of this Church? These libels—four under the first specification, eight under the second specification, five under the third specification, and twenty under the fourth specification; in all about thirty-eight—would be most revolting, committed under any circumstances, even by a man who makes no pretensions to religion. Ordinary honesty, even among the low and degraded, would seem to be sufficient, even were there no fear of punishment, to deter a sane man from perpetrating such crimes as these. But Mr. Graves professes to be a Christian, and more, a minister of the pure and holy gospel of our Lord Jesus Christ. How much more revolting are they therefore, coming as they do, from a man making such pretensions! Nor is this all. These atrocities, for which the laws of our land would, were we to appeal to them, punish him so severely, are perpetrated by him, a professed Christian, with the vows upon him of a minister of the meek and lowly Jesus, and professing to govern himself by the Word of God, not against an enemy, not against a stranger, but against a member of his own Church, whose peace, union, and honor, he has solemnly covenanted to seek by every means in his power. Nor is this all. He has committed these heinous offences against his own pastor, whom, as previously remarked, he had before Jesus Christ, and by his commandment, and in the presence of his Church, sacredly pledged himself to love; and honor his *pastor*, who received, and kindly stood by him, when a stranger, and friendless; who in his poverty and obscurity firmly sustained him; who brought him forward to public attention and respectability; who up to this hour has committed no offence against him; and who for the advancement of the cause of Christ, aided by other brethren, [placed in his hands those very engines which he has now turned against him and against you, and by the aid of which he so unscrupulously seeks to *defame, bring him into contempt, expose him to public hatred and derision, and thus to destroy him.* How deep, therefore, how revolting the guilt of Mr. Graves!

I shall not address you at length, brethren, upon the remaining counts under this charge. I beg therefore your attention for a few moments longer, that I may give a more full expression to the feelings of my heart on this occasion. God knows that if all the afflictions of my life were put together, they would not amount to a tenth part of the suffering which this trial and the events connected with it, have cost me. I feel, however that these sufferings, are for Christ, his cause and his people. Therefore "None of these things move me; neither count I my life dear unto myself, so that I may finish my course with joy, and the ministry which I have received to testify the gospel of the grace of God." If the charge before you is sustained

by the specifications and proofs under the several counts already presented, or any portion of them, to say nothing of those yet to come, nor of the outrageous, and schismatical proceedings of Tuesday night last, then a most solemn duty rests upon you. The question now before you is, not whether you shall expel Mr. Graves from your membership, but *is he guilty?* That is what you have at present to determine. He occupies, it is admitted, but in a very peculiar sense, a high position before the churches, as an editor, and a preacher of talents. But this fact, while it makes your prompt and impartial action *more difficult*, renders it still *more imperative*. "He should be clean who bears the vessels of the Lord." What have you seen for years past, in the spirit, or language of Mr. Graves, bearing any of the lineaments of the meek, the lowly, the loving Jesus? The Word of God says:—"The servant of the Lord must not strive, but be gentle unto all men, apt to teach, patient, in meekness instructing them that oppose themselves." But Mr. Graves is frenzied, striking at every one who does not bow down to him, and vituperating all who he imagines come in his way.

Such has been his conduct for years past. Brethren in every quarter of the land have felt his blows. Not a few of them, as Duncan of Louisiana, Crane of Mississippi, Tustin of South Carolina, Coleman of Arkansas, Everts of Kentucky, and Dawson of Georgia have appealed to you for protection against his defamatory attacks. You could no longer be deaf to these calls from every quarter. While giving him impunity you are considered as endorsing his character, and in public estimation, are *participes criminis* in his evil deeds.

The course of Mr. Graves towards me, is but a continuation of his previous conduct towards others, and with as little provocation. At your earnest and repeated solicitations I returned to your pastorship, which has now continued, first and last, more than *seventeen years*. You know me intimately and well; more intimately and better than do any other people upon earth. I returned not to battle against Christians of any denomination, and especially not to battle against Christians of my own denomination. I came under a strong sense of duty, to preach to you the gospel of Christ, to seek, with the blessing of God, to harmonize our people, to urge forward the cause of truth and salvation in this part of our beloved country, and especially to build up and strengthen, with what ability I possess, this little Church, over which I have anxiously watched, and for which I have prayed so many years, and which has always been so dear to my heart. From this purpose I have never for a moment departed. I have assailed no one: I have sought, prayfully sought, the benefit of all, and of all alike. Why then am I, and are you, and our friends elsewhere, assailed by Mr. Graves, in the manner which has been exposed? Why are we now, week after week, falsified, slandered, ridiculed, and belittled by him, and by both his associate editors? Is this the "howl" which it was prophecied would come up, and which would make you, and me, and this whole Church "think the world was coming to an end?" For more than six months we did not notice Mr. Graves' attacks in any way. To this day neither you nor I have published one word of response. This impunity has been abused by him. It has rendered him but the more bold and reckless. You have now at last called him, and properly, to answer at your bar. As a *member* of this Church, having the same rights with every other, and only the same rights, and as *your pastor*, entitled until it is forfeited, to the respect due the pastoral office, I cheerfully, gladly, throw myself upon your enlightened justice. If in your opinion, I and others implicated, have deserved the shame attempted to be heaped upon us, we will not appeal from your decision It is your duty to speak truly, and to sustain the right, no matter who suffers. Hitherto God has supported me in the ministry, without stain or reproach. I do not, however, ask you to *spare me*. I never will. I will not accept from you *forbearance*. I ask only for *even-handed justice*. If I am guilty, as Mr. Graves affirms, strike me down. I occupy a position of which I am unworthy. I asked of Mr. Graves, in all my efforts to settle this matter, as to myself, privately, nothing towards me which I did not voluntarily offer to do myself towards him. I now ask you to do nothing in regard to him, which I would not have you do with regard to me in like circumstances.

But Mr. Graves is guilty, indubitably guilty, as charged in every one of these

cases. This, his warmest admirers, when their "sober second thoughts" come to bear rule, will be obliged to admit. If you find him guilty you must pronounce him guilty. You cannot avoid this verdict. He will then stand before you, and before all others, who acknowledge the sovereignty of Baptist Churches, in the exercise of discipline, as convicted of the offences charged. You will afterwards be called upon to decide what the Word of God requires you to do with him. If his offences are really what they are represented in this charge, and clearly proved to be in the specifications under the several counts before you, you owe it to him; you owe it to yourselves; you owe it to our brethren, and churches throughout the land; you owe it to the cause of truth, and salvation; you owe it as a duty to Jesus Christ, to place upon him the seal of your condemnation. But he refuses to hear you! He affects to withdraw! He denounces your authority and jurisdiction! The brethren have told his offences to the Church, as the law demands. He repudiates it all. The commandment of Christ leaves you no alternative. It is definite. "If he refuse to hear the Church, let him be unto thee as a heathen man, and a publican."

Mr. Fuller moved that the question be now taken, as it was apparent no defence was to be made.

The motion was concurred in,

The Moderator stated the question before the Church to be: Whether Rev. J. R. Graves is guilty of libel as charged.

The Moderator. Those who believe that the charge has been sustained by the testimony adduced, will rise.

Upon a count, eighty-four members were standing.

The Moderator. Those who believe that the charge has not been sustained by the testimony adduced, will rise.

None rose.

The Moderator then declared that the church had, by a unanimous vote, decided that the charge had been sustained by the testimony.

On motion, the meeting adjourned to 7 o'clock Tuesday evening, with the benediction by Dr. Howell.

TUESDAY EVENING, Oct. 19, 1858.

Met pursuant to adjournment.

The proceedings were opened by reading a portion of scripture by the Moderator, and prayer by the Rev. Mr. Walton.

On motion, the reading of the record was dispensed with until the conclusion of the trial, when the whole should be read and passed upon.

Mr. Fuller moved to take up the fourth count in the charge against the Rev. J. R. Graves.

The motion was concurred in.

Mr. Fuller said that as the evidence to sustain the fourth count in the charge against Rev. J. R. Graves is to be found not only in the editorial columns of various numbers of the *Tennessee Baptist*, but also in sundry letters published in that paper, he should beg leave to accompany the testimony with a running comment upon the same, which was the only argument the prosecution proposed to offer.

The Moderator stated that it was in the power of the church to grant this privilege.

Dr. Jones suggested that as it was customary to call upon the defendant for any rebutting testimony he might desire to offer, that it would perhaps be proper to extend that invitation now.

The Moderator replied that the invitation would be given when the evidence offered by the prosecution had been heard.

Mr. Fuller stated that the argument had been prepared to accompany the testimony in the form he had suggested, and he hoped the privilege of thus presenting it would be granted him.

The Moderator suggested that a motion to grant the prosecution the privilege desired, would be entertained.

Mr. Scott moved that the prosecution be allowed to accompany the proof to sustain the fourth count in the charge against Rev. J. R. Graves, with a running comment, as requested.

Which motion was concurred in.

And then,

Mr. Fuller read the fourth count in the charge against Rev. J. R. Graves, and commented as follows:

COUNT FOURTH.

"We the undersigned, members of the First Baptist Church, Nashville, Tennessee, charge Rev. J. R. Graves, a member of said church, and one of the editors of the Tennessee Baptist, with grossly immoral and unchristian conduct, in that he has, at various times, attacked, slandered and abused ministers and brethren of high character, belonging to our denomination, throughout the country, in his said paper."

Mr. Fuller said:

The public press is, in our day, an engine of immense power. Properly conducted, its blessings are in calculable. When however, it becomes licentious and demoralizing, it is the most withering curse with which any community can be visited. This is true of newspapers of every class, but especially is it true in relation to those that are professedly religious. The licentious character of the Tennessee Baptist, has for years past, been a source of deep mortification to many brethren, and of irreparable injury to the cause of righteousness in connection with our churches. The specifications already before you, are sufficient proof of this fact. But we proceed:

FIRST SPECIFICATION.

DEFAMATION OF REV. DR. FULLER, OF BALTIMORE.

In the Tennessee Baptist, No. 43, dated July 9th, 1853, Mr. Graves thus attacks, slanders, and abuses *Rev. Dr. Fuller*, of Baltimore. Speaking of the session of the Southern Baptist Convention held in that city, in May of that year, Mr. Graves says:

"A few, say three or four, appropriate the whole direction of the Convention to their own control. Great efforts at preaching and speeching, to shine on the part of D. D.'s and *dreadful failures*. Alas! Alas! that great men and ministers should be *vain* and *ambitious;* and yet who more so?!"

"Several local movements, of very *questionable* policy, and *very singular*. Dr. Fuller follows brother Brantly on Sabbath morning, in an *exhortation* of nearly three quarters of an hour! and in Dr. Fuller's own pulpit!! What could have been brother F.'s motive! Did he not himself request that no one should say one word after he had preached in Nashville, at the previous Convention? Do *ifs* alter cases? Monday night Dr. Baker preached the Domestic Mission sermon. Requested by Dr. F. to be short—*short* since the church was going to ordain a young minister, and he himself had the charge to deliver!!—a very embarrassing position, for the annual speaker, which he *felt*. Tuesday night set apart for speeches on *Home Missions*, and the great West. The time occupied by Bro. Shuck, followed by Dr. Fuller on the China field. The importance of the Domestic field, and the progress and prospects of missions in the West not presented! *Arrangements curiously singular!* Great sensation produced by Dr. F.'s speech. Considered highly inappropriate, inapposite, and *disorganizing*—had no particular point; never would have been taken for a missionary speech, Home or Foreign—was considered personal in some reflections on ministerial dress."

"And speaking of *apeing*, we saw a bold specimen of it exhibited by the reprover, viz: When the Catholic priest enters the church—his stand—he kneels, and pretends to pray in the presence of the congregation, and to be seen by them, and to impress the people with his awe, and reverential feeling, &c. Little Methodist Circuit Riders play off the the same trick before their congregations and high heaven, for the same purpose, to be seen of men; and we have seen brother Baptist ministers do the same thing, to our infinite disgust. It always appeared to us to be a species of detestable apeing." "How many more than two kinds of prayer are there, *public* and *secret*? Is this minute, or half minute pulpit genuflection, *public* or *secret* prayer? If public or social, why not pray audibly, that the congregation may unite in, and be edified by it? If it is intended for secret prayer, why appear in public, and seek thus like a class of old, to be seen of men?"

Bro. Moderator. The church will see that in these extracts Mr. Graves brings the following imputations against Dr. Fuller:

1. That he is a vain, and ambitious man.
2. That his exhortation on Sunday, and

his speech on Tuesday night, in his own church, were ridiculous.

3. That he treated his brethren, especially Dr. S. Baker, with offensive disrespect.

4. That his Tuesday night's speech was disorganizing.

5. That in it he indulged in personal reflections upon his brethren.

6. That in his proceedings he was apeing Catholics.

7. That he prays in his pulpit to be seen of men.

8. That he is a Pharisee.

Put all these imputations together, and what a tirade for one brother to publish of another! What provocation had Dr. Fuller given to Mr. Graves? None whatever. He had treated him with courtesy and respect. The popularity, talents, and piety of our Baltimore brother, undoubtedly were his great offence. Could the most malignant enemy have pursued him with more bitterness. In the eye of Mr. Graves, Dr. Fuller is vain, ambitious, ridiculous, offensive, a disorganiser, a censurer, apes Catholics, prays to be seen of men, and is a Pharisee. His indulgent readers are expected to believe all this. Doubtless many of them do. What then must be their feelings towards that brother? Need one word be said in his defence? I presume not. My only purpose is to prove, as I have now done indisputably, that Mr. Graves did attack, slander and abuse Rev. Dr. Fuller, of Baltimore. This first specification is therefore fully sustained.

SECOND SPECIFICATION.

DEFAMATIONS OF REV. DR. WALLER, OF KENTUCKY.

In the Tennessee Baptist, dated October 28th, 1854, announcing the death of Rev. Dr. J. L. Waller, Mr. Graves says:

"We have differed for years, and widely in our opinions [with brother Waller] on one subject, the propriety of receiving the immersions of Campbellites, and Pedobaptists as valid, and communing with such."

In the Tennessee Baptist, dated August 4th, 1855, speaking of the "Recorder when under brother Waller's control," Mr. Graves says:

"Its guns are spiked with Campbellite gold, and Campbellite influence."

The Long Run Association, that of which Dr. Waller was a member, and which embraces the churches in Louisville, at its meeting for 1855, referring to these, and many other similar defamations by Mr. Graves, adopted and published the following resolution: Tennessee Baptist, Dec. 8th 1855.

"*Resolved*, That while it might have been expected that from interest, prejudice or misapprehension, some would fail to do justice to the character of one led so often to reflect upon, and expose their errors, it is with the deepest mortification that we find some Baptists volunteering to disparage his wisdom, and becloud his memory; especially are we astonished that a Baptist editor, in no equivocal manner, by slight implications, invidious reflections, occasional assumptions, elaborate editorials, adriot appeals for patronage, and articles of correspondents prepared to order, or with instructive reference to their destination, has industriously and long been seeking to create the impression that he has proved himself a more enlightened, consistent, and faithful expounder of the principles and usages, and defender of the cause of the Baptists, than the illustrious and lamented Waller. Of the truthfulness, modesty and disinterestedness of the assumption, let enlightened Baptists of the present, and future generations judge."

Thus did that large and talented Association think itself obliged to vindicate the character of the noblest brother among them, then so recently deceased, from the aspersions of Mr. Graves, who upon reading this rebuke was obliged to say—Tennessee Baptist, December 8th, 1855.—"The allusion is undoubtedly to ourself."

Consider if you please, brother Moderator, these several extracts. What are the imputations they contain?

1. He maintains that Waller was an open communionist, and otherwise a man of loose principles.

2. That he had been bribed by the Campbellites, and therefore durst not in his paper advocate true Baptist principles.

3. That he Graves, and not Waller, was the true champion of the Baptist churches and people.

4. When these defamations were set forth and Dr. Waller was defended, by the

Long Run Association, Graves was excited to frenzy, and waged battle with them all.

Brother Moderator, and brethren. You knew John L. Waller personally. Was he an open communionist? Was he a man to be bribed? Was he a false or feeble advocate of Baptist principles? Why did Mr. Graves thus assail Dr. Waller? Was he, as some others have been, in Graves' way? Could he not bear Waller's popularity and greatness? Truly "pride cometh before destruction; and a haughty spirit before a fall."

Brother Moderator. Can there be any doubt that Mr. Graves did attack, slander, and abuse Dr. Waller of Kentucky?

THIRD SPECIFICATION.

DEFAMATIONS OF REV. DR. EVERTS OF LOUISVILLE.

The assaults of Mr. Graves upon Dr. Everts' church, and upon Dr. Everts himself, of Louisville, Kentucky, have been most flagrant. As to *the former*, in a note dated September 13th, 1858, Dr. Everts says:

"In regard to Elder Graves' course towards Louisville Baptists, and myself, I would simply say that he admitted an *anonimous* article into his paper, seriously reflecting upon the Walnut Street Baptist Church, and Pastor, and containing both *palpable falsehoods* and *miscolorings*. Dr. W. B. Caldwell wrote an answer in explanation, and vindication of our church, which as he did not wish his name brought before the public, I forwarded, authorizing the use of my name as responsible for the article. But though an *anonymous* slanderous attack had been published, the *endorsed* vindication was rejected as anonymous. Mean time another anonimous article was allowed to appear, *reasserting the former* slanders, and sowing seeds of distrust, and strife. Whereupon, another brother, (T. A. Reed) of this city, formerly a friend of Graves, wrote to Graves remonstrating against the injustice he was doing to the Walnut Street Baptist Church, and Pastor, by his anonymous and slanderous publications, and setting us right before the readers of the Tennessee Baptist. This letter was not allowed to appear. Still a third, and I think a fourth slanderous article was allowed to appear anonymously, with I believe, new editorials, and enforcements, &c., &c. Bro. Reed, after waiting for the appearance of his first communication, sent a second; and after waiting a considerable time for the appearance of that, wrote a third. Whether he was discouraged from forwarding the third, from what seemed persistent purpose to withhold justice, I know not. But some time later, Wm. Garnet, in the Western Recorder, in a short article, challenged the name of the writer of these calumnious articles, and pledged himself to prove *five palpable falsehoods* in them, as well as *gross miscolorings*, if a responsible name were given. All this passed, but no *justice* was ever done to us by the Tennessee Baptist, or *apology* offered. And to the publicity given to slanders by that paper, without correction, we trace the jealousies and distrust, that have obtained against the Louisville Baptists to this day, throughout the South West. Fellowship and confidence have been impaired, and jealousy and distrust spread, by the injustice of the Tennessee Baptist.

Dr. Everts further says: "A year ago last May, in the presence of Dr. Eaton, these matters were talked over with Elder Graves. He made explanations, and removed some of my objections to him *personally* in the matter, by attributing the responsibility to some persons in Kentucky, whom he had trusted, and whom he had [then] learned to distrust as designing and mischief-making men. As my mind was disposed to charity, and I believed Graves a *perfect* man compared with some *among* us, I considered the matter settled, and at Graves' request, last January wrote him to that effect, and he published my letter in the Baptist, I think, in February or March."

This matter of falsehood and slander, may be considered by Dr. Everts settled so far as he is concerned. That, however, does not relieve this church from the responsibility of looking into it, and relieving itself from any complicity in these crimes by administering to their perpetrator a just and scriptural rebuke.

Mr. Graves' assaults upon Dr. Everts himself were still more flagrant. At the meeting of the Long Run Association of Kentucky for 1855, which includes the churches of Louisville, and of which J. L. Waller was a member, a committee made a

report for publication in its minutes, expressive of the feelings of that body in regard to the death of that distinguished man. Of that committee Dr. Everts was chairman. The report was brief, and closed with three resolutions. The first lamented his death as a great loss to the Baptist denomination; the second referred to him as one of the wisest and most effective champions of our cause, and the third deprecated the attacks which even some Baptists, and Baptist editors, naming none however, specifically, had made upon him. In the Tennessee Baptist, No. 14, dated December 8th, 1855, referring to this report of a committee generally, of which Dr. Everts was chairman simply, and to the last resolution *especially*, Mr. Graves says:

"The allusion is undoubtedly to ourself. It excites no emotion in our heart, but the deepest sympathy for the poor man whose heart and head were in a condition to deliberately elaborate such a specimen of malignity, *insane;* for Elder Everts' madness towards us, seems to overcome his reason, sense of propriety, and sober judgment. What an indignity to the departed dead, to have such an epitaph [the resolutions] engraved by the hand of the Association of which he was a member! What an insult offered to the Association! When they should be called to weep—to balm the memory of a loved and departed brother with tears of sacred affection, and holiest recollections, to have every fiend in their natures addressed, their basest feelings appealed to, and the intensest hatred excited towards a living brother in Christ!! [that is J. R. Graves.] Whom did Elder Everts gratify by his own insatiate thirst for revenge? Is such an offering acceptable to the surviving brothers and sisters of Brother Waller? We know them better, for we know most of them well. Whom of the fifty-eight delegates [who by the way voted for them] did he gratify? How many were prepared to affirm the charges embraced in the resolutions? It was a morsel sweet to the palate of Elder Everts alone—a morsel that he deliberately prepared in the solitude of his study, in which we suppose he made his book of *prayers!* Wonder if he knelt down, and read one of those prayers over this so-called 'Report on the death of the lamented Waller,' but in fact a malignant aspersion of a brother minister! To our readers we need not say that the resolution is a compound of falsehood in the *general*, and in the *concrete;* that it seems imbued with the intensest malignity? It is an attempt to skulk behind the body of a dead brother in order the more effectually to strike a living one through the heart. The labor of Elder *Everts* and *all those* who carp so much about injury done [by J. R. Graves] to Brother Waller's fame, evidently is not so much to excite admiration in the hearts of Baptists for Brother Waller, as prejudice, and hatred towards ourself—not [so much] to call attention to his virtues, as to failings attributed to us. In behalf of our late brother Waller, and in behalf of his surviving relatives, we entreat the Long Run Association at its next session to reconsider, and expunge this resolution from its minutes; [which, however, they never did, but adhered to it;] and, in the place of a slander upon a living brother, insert an honorable encomium upon the departed one. Whatever may be our transgressions, such obituary notice is a burning shame to any Baptist Association—a disgrace to civilized humanity."

Mr. Graves further says in the same paper: "We have read the above resolutions in the columns of the *Western Recorder!* By whose agency, or advice, were they inserted in the *Recorder?* The Association did request it. Did brother Cooper, the local agent, insert them without consultation, or advice? He has no cause to asperse, or defame us. Did the [editorial] Committee, Dr. Caldwell, Tyler, and Branning, order their insertion? But *they* are cultivating *peace*, and *never say*, *do*, or *have done*, ought to *our* prejudice, or injury. It would falsify *their professions;* prove *them* the *most arrant hypocrites* under the sun, to accuse *them* of *ordering*, or *conniving* at the insertion of such an abusive article. Who but the author—Elder Everts—secured their publication in the *Recorder?* the last sting that the unsanctified spirit that conceived them, saw the means of inflicting! The man who could prepare such resolutions to read over the dead, can do anything that he imagines the cloak, and profession of religion will cover. Such a man

make prayers for Christians to read, and study, in order to imbue their souls with the spirit of Christ?!! The worst wish we wish Elder Everts is, that he may be brought to see this act in the light that every unprejudiced Christian looks upon it, and repent of it; and for the honor of a common humanity, and christianity, if *he will asperse*, and *slander* his brethren, take some other occasion than an obituary notice to do it. We regret to be called upon to rebuke so severely, but such an act is so *flagrant*, that *no reproof can equal it.* Nor will we wink at such acts, though perpetrated by a *Baptist* minister—though a D. D."

Brother Moderator: A summary of the iniquities of Mr. Graves developed in this specification need not be made. The whole exhibition is outrageous in the highest degree. Can a Christian man conduct himself in this manner? It seems to me impossible. Yet, Mr. Graves professes to be a Christian, and a minister of Christ. As a member of this church we are considered as endorsing him, because we have not called him to account. But my object here, is to show in what manner, and style, Mr. Graves in his said paper, attacked, slandered, and abused Rev. Dr. Everts, of Louisville. Nor has he, to this day, that we have seen, or heard of, in any public way, withdrawn, or apologised for his offensive assaults.

FOURTH SPECIFICATION.

DEFAMATIONS OF REV. DR. DUNCAN, OF NEW ORLEANS.

Mr. Graves is charged with having attacked, slandered, and abused Rev. Dr. Duncan, of New Orleans. In a note dated at New Orleans, June 8th, 1858, Dr. D. says:

"I send you a copy of the pamphlet about J. R. Graves." "The Dictator ought long since to have been put down, as far as his church can effect so desirable an object." It is entitled—"New Orleans Weekly Baptist Chronicle," dated November, 1854, and contains the "Defence against false charges, and misrepresentations of Rev. J. R. Graves." In this paper he thus addresses you: "We call upon the church of which Mr. Graves is a member, to listen to the allegations which we now make against him, and substantiate by proof that cannot be gainsayed, and when they have heard, to act in a manner becoming their position, and responsibility." He definitely charges Mr. Graves with "*Misrepresentations in three modes*," and says: "On these three counts, we distinctly charge, and arraign J. R. Graves for *falsehood*." The paper then goes on to establish, and does establish these charges incontestibly. Dr. Duncan further says: "We deem it proper to call the attention of the South-West, and South, to some among his numerous falsehoods, and misrepresentations. This is done, *not so much* to defend the reputation of the Senior Editor [of the Chronicle,] who personally feels himself beyond the reach of the envenomed shafts, hurled by so unrighteous a hand, *as* to show Southern Baptists what is the moral character of *him* who seeks to destroy a press that is laboring, and has long labored for the denomination; and *who*, as the conductor of a Baptist paper of wide circulation, has it in his power to inflict much evil upon our cause, and to bring destruction upon many of those who, doubting the propriety of his course, openly express their disapprobation. If the Tennessee Baptist be sustained in its conduct towards the Senior Editor of the New Orleans Chronicle, by the voice of the denomination in the South-West, or any large part of it, then have we established among us, and over us, a Dictator that will henceforth rule us with a rod of iron. If an editor among us can attack personally, any Baptist whom he pleases, and then exclude him from all defence before the same tribunal; if he can do this unrebuked, and unpunished; our denominational freedom is gone."

Mr. Duncan further says: "It is with a very sad heart that we enter upon this matter. God knows that we have tried to avoid it. He has several times proposed arbitration of the points at issue between him, and the Editor of the [Tennessee] Baptist, but these proposals were treated with silence, or rejection. He [Duncan] has asked repeatedly, to be allowed a defence in the columns of the Tennessee Baptist, and has as often been refused. He has written private letters, requesting that these repeated acts of hostility should cease, or that responses should be allowed in the [Tennessee] Baptist, but the attacks

have not ceased, and the responses have not been allowed. Such has been the state of the matter for more than a year. It is impossible to get a show of fairness, much less justice from the [Tennessee] Baptist. Not only has it not published Mr. D.'s answers, but it has not stated even in its own words, the substance of his replies, and has never to this day, even given a true statement of the leading views entertained by Mr. D. on the points on which he has been so mercilessly attacked by the [Tennessee] Baptist."

Dr. Duncan concluded his "Defence" thus: "But enough." "Let Baptists read what we have said. God is our judge, that we have acted with much reluctance, and after striving to settle this difficulty with Mr. G. in some manner less objectionable, and less painful to the feelings of all interested. Mr. Graves will not listen to reason. Did we think him merely misled, we should do otherwise than this; but the evidence of his intentional wrong-doing of a cherished purpose to crush the Chronicle, and all connected with Professor Duncan, (if he can,) is to our mind, as clear as the sun at mid-day." "We deliberately arraign J. R. Graves, Baptist editor of Tennessee, before the denomination, on the charge of *repeated falsehood and misrepresentation*. Our proofs have been adduced. Judge between us, ye that are interested. Acquit him of falsehood if you can. Acquit him of misrepresentation if you can. One thing, however do, say now whether a man so careless of truth, so hasty, so fell in his hostility, so incapable of discussing any subject with candor and fairness, so unjust to his opponents, is fit to lead, nay, to *govern*, (for *govern* is what he is clearly rying to do) the denomination in the South-West. Decide now, Baptists that are free, whether the despotism of this man is to stand, or fall. His committed partisans, no doubt will uphold him, be he false, or be he true. But will the intelligent, the thinking, the freedom-loving among our Baptists, defend, and sustain him in this high-handed course of injustice, and iniquity?"

Our charge against Mr. Graves is, that he has in his paper, attacked, slandered, and abused Rev. Dr. Duncan, of New Orleans. And if Dr. D. is to be believed, if the testimony in this case now before you, deliberately prepared, and published by him to the world, is reliable, those attacks, and that slander and abuse were most flagrant. I call upon the church to notice as follows:

1. Mr. Graves is guilty of uttering against Dr. Duncan, "numerous falsehoods."

2. Mr. Graves is guilty of perpetrating against Dr. Duncan, "numerous misrepresentations."

3. Mr. Graves refused Dr. Duncan the privilege of replying to these assaults through his paper, in which they were made, although it was frequently solicited.

4. Mr. Graves refused to state even in his own words, the substance of Dr. Duncan's replies, and also to give a true statement of Dr. D.'s views.

5. Dr. Duncan several times proposed to Mr. Graves a private arbitration to settle points at issue between them. Mr. Graves rejected his overtures.

6. Dr. Duncan appealed to this church. The case is now at last before you legally, and formally. You are called to pronounce upon it, and you will pronounce upon it fearlessly, as the word of God may seem to you to demand.

FIFTH SPECIFICATION.

DEFAMATIONS OF REV. MR. TUSTIN, OF CHARLESTON, SOUTH CAROLINA.

During many months past, Mr. Graves has been attacking, slandering, and abusing Rev. J. P. Tustin, of Charleston, South Carolina, in a style and manner; very similar to that which characterized his pursuit of Dr. Duncan, just now considered. All who know anything of Mr. T., or of his paper, know him to be courteous, gentlemanly, and polished in all his intercourse, and writings. He is received, and endorsed by his church in Charleston, as a true Baptist, sound in doctrine, and in morals unimpeachable. He is also endorsed by the Southern Baptist Publication Society, having for several consecutive years, been appointed its Corresponding Secretary, which office he continued to fill, until he voluntarily declined a re-appointment, but still continues one of its directors. This is the man that Mr. Graves has been denouncing for more than a year past, as a Pedobaptist in disguise, a Presbyterian in principle,

and a secret open communionist. The truth of all this Mr. Tustin earnestly, and persistently denies. His brethren also, who know him intimately, declare that all these attacks upon him, are slanderous, and the imputations unjust. This however, makes no difference with Mr. Graves. He goes on with his slanderous declarations, just as if nothing had been said, nor any denials made.

The origin of this attack seems to have been as follows: Rev. J. S. Baker, say, in the Christian Index, Vol. 37, No. 17, dated April 28, 1858:

"In the year 1855, I wrote a series of articles, which were published in the Tennessee Baptist. In a note appended to one of the articles, is the following statement:

"I am credibly informed, that one of the principal advocates of the resolution proposing to invite Pedobaptists to seats with us at our Biennial Convention in 1855, has said that he would have no scruples in communing with them at the Lord's table, if it were not contrary to Baptist usage."

This produced no hue and cry at that time; led no one to question the truth of the information I had received; but since brethren have allowed their feelings to become exasperated by the disgraceful warfare which they are carrying on against each other, repeated allusions have been made to it by editors, and others.

"As soon as I discovered that brother Tustin was the individual supposed to be referred to by me, and *before* I knew that brother Graves had adduced it to convict brother Tustin of holding sentiments favorable to mixed communion, I wrote to brother Tustin, informing him that my reference was *not* to him, but to 'a popular' (or 'prominent,' I am not certain which word was used) Baptist minister of Georgia."

This denial by Dr. Baker, which was also communicated to Mr. Graves, had no effect. Mr. Tustin was Corresponding Secretary of the Southern Baptist Publication Society, and although Mr. Graves afterwards charged it upon Dr. Dawson, still he held on to his charges upon Mr. Tustin. True, he professed to have proved it by certificates. You have, however, but too many evidences that certain men can prove by certificate, about any thing they choose to prove. A man declares that he does not believe a thing, and never did believe it. But no matter for all this, Mr. Graves proves by certificates that he does believe it! Upon some of you this game has of late, been very conspicuously played. To extract but a small part of what Mr. Graves has said, would of itself, occupy hours of your time. Two, or three articles, are sufficient for our purpose.

In the Tennessee Baptist, No. 49, Aug 15th, 1857, Mr. Graves, speaking of Mr Tustin, says:

"Did we seek to *ruin* him, it is in our power to effect it as easily as we write this paragraph." "He [Tustin] *denies* that he ever admitted his preference for the *Presbyterian* form of Church Government over *the Baptist;* and also, if he knew an open communion Baptist church that was *respectable* he would hook on to it."

Mr. Graves affects great surprise at these denials. And in the Tennessee Baptist, No. 50, August 22d, 1857, Mr. Graves says, derisively:

Mr. Tustin, "A Charleston *Baptist* minister, and Corresponding Secretary of the Southern *Baptist* Publication Society!!! receiving a thousand dollars per annum as the *pastor*, or supply of a Pedobaptist Society!"

To preach regularly in a Pedobaptist house of worship, may be a great sin. If any of you think so, I beg to call your attention to the following, in the Tennessee Baptist, No. 26, March 6th, 1858, in which article, Mr. Graves says:

"Through the kindness of the New School Presbyterians, *we* have been invited to occupy the large Presbyterian house, [in Gallatin,] two Sabbaths in the month, until we can erect one."

Mr. Graves accepted this invitation, as you know, and has been preaching in that house now more than a year! Why then does he condemn Mr. Tustin for like conduct?

This specification needs no analysis. It is certain that Mr. Graves has attacked, slandered, and abused, Rev. J. P. Tustin, of Charleston, South Carolina.

SIXTH SPECIFICATION.

DEFAMATIONS OF REV. DR. DAWSON, OF GEORGIA.

During a year or more past, Mr. Graves has been endeavoring to make the impression that all the more cultivated and enlightened portion of our people, are under the influence of a strong tendency to open communion; and especially that influential ministers at the North, and at the South, are now plotting to lead our brethren into that heresy; and that particularly the whole North "are upon the verge of the plunge into open communion."

In the Tennessee Baptist, No. 25, February 27th, 1858, Mr. Graves says:

"That a scheme is being plotted, and the elements at work, to *open-communionize* the Baptist denomination in America, we have long had reason to fear, and that a large body of Northern Baptists are upon the verge of the plunge into open communion at the table, as well as in baptism, and in the pulpit, we have long been satisfied; and that there are men in the South ready to second the move, cannot be questioned; men whose published sentiments are even now preparing the way before the denomination."

The "published works" here denounced seem by later numbers of his paper to be those of brethren Mell, Fuller, Taylor, Bowen, Howell, and probably some others.

In his preface to the "History of Open Communion" by Orchard, Mr. Graves says:

In the last century the American Baptists have, through the influence of great names, and leading influential ministers, been insensibly drawn into the very outer circles of open communion." "Our Doctors of Divinity, popular metropolitan preachers, the Presidents, and professors of our Colleges, and members, and brethren high in position, and popular favor," have "brought the denomination to the very verge of the plunge into open communion."

It was intimated by Dr. J. S. Baker, a minister of Florida, in an article some years since, that one brother of high standing in Georgia was known to have a strong leaning in that direction. And early in the present year, an anonymous writer, signing himself "*Probus*" asserted in the Tennessee Baptist, that Rev. J. E. Dawson was the guilty party. His language is as follows:

"Our brother Dawson, is that very identical popular preacher in Georgia, who has at least once in the hearing of unimpeachable witnesses, declared himself not a Baptist but like Tustin, an *open communionist*, at heart. I do not believe that he will dare to deny that he has said that he is willing to go into open communion if the Georgia churches generally will do so."

This charge Dr. Dawson immediately laid before his church in Columbus, by which it was fully investigated, and in a publication under date of July the 8th, 1858, officially declared by them to be "without the least foundation." See S. W. Bapt., July 29th 1858.

On this whole subject Dr. Dawson writes under date of Newnan, Georgia, September, 17th, 1858, as follows:

"The essential facts between J. R. Graves and myself, are in print, and you can find them in the Index" newspaper.

"When the articles appeared in the Tennessee Baptist, accusing me of being an open communionist, I felt it my duty to lay them before the church in Columbus. An investigation was at once instituted. Mr. Graves was written to, and every means adopted to obtain the facts in the case. The result was that no evidence could be found and the church pronounced the charge "*without foundation.*" The most offensive article was signed "Probus." Both the church and myself, demanded of Mr. Graves the real name of the author. This he refused to give, but gave James Perryman, of Buena Vista, Geo., as Probus' authority.

I sought an interview with Perryman, intending to report his case to his Church, unless he could give me satisfaction. In the presence of several brethren, he utterly denied having ever told Probus, or Graves, or any one else any such thing, or having used any language justifying such charges. This is still his position so far as I know. The charges made by Probus, I have denounced, as "wilful falsehoods." I now repeat this, I never used such language, or anything like it. Perryman will give his certificate, that he never told Graves, or Probus any such things. The falsehood is between Probus and Perryman, and the only question is, who is Probus? I suppose Graves will not deny being himself (Pro-

bus) the author. If this is so, then, the case is in a nutshell. And until Graves can prove himself clear (by showing that he himself is not Probus, which he can only do by a certificate from Probus himself, over his real name) he stands before the christian world charged with wilful "falsehood."

The charges made against me in the Tennessee Baptist are of the most serious character, and if sustained, would forever destroy my usefulness, and depose me from the ministry, if no more. Shall such conduct be tolerated in the Churches? Shall Church members be allowed to publish such vile slanders, with impunity? If so, what is Church membership worth? Whose reputation is secure?

Of course I cannot say which is the guilty party, Graves or Perryman. The falsehood is with them. But until Graves makes a better showing than he has done, the charge is upon him. Graves tries to evade the question, and to change the simple issue, but he cannot do this. His charges against me are distinct. He gives Perryman as the author of these charges. Perryman utterly denies the truth of it. This is the issue, and he cannot escape it. If Perryman told him these things, he is thus far vindicated (though still a libeller for having published them in his paper.) If he (Perryman) did not, he is guilty, and in my opinion unworthy of Church membership, until he makes atonement to the injured party.

The fact that Graves is an editor, is no excuse. An editor has no more right to lie, or slander a brother, than any other man. As the facts are now before me, he has done both, and the Church is induty, bound to enforce a healthy discipline." "As this thing now stands, I cannot think of Graves but as a *wilful slanderer.* I can have no confidence in any thing he says. If he can prove himself clear I shall be gratified, and will acknowledge the fact publicly, but until he does, he must [himself] admit the justice of my position. Graves published an extract from a letter of Perryman, to the effect that he had proof to establish my guilt. This letter is no proof, and Graves must know it. Perryman never said that he had proof to establish the charges made by Probus, but [that he had proof] that a conversation had taken place between Johnson and Neal.

There never was a plainer case than this. I charge Probus with publishing "wilful falsehoods." *Probus is Graves.* He gives Perryman as his author. *Perryman utterly denies* being his author. Graves must prove that Perryman has lied, or the sin attaches to him. If he does the former, Perryman is unworthy of membership. If he cannot do this, then *he* is unworthy. No christian who has any sense of propriety, can justify such conduct; nor can any cause long prosper which tolerates such offenders; indeed it would be attempted under no other circumstances. The position that one christian may slander another, simply because he happens to be the editor of a paper, is both sinful, and foolish; and the effort to pass these things by as *mere rumor,* of *no consequence,* indicates a very depraved judgment, and a very low standard of morality."

Thus has Mr. Graves, as charged, attacked, slandered, and abused Rev. Dr. Dawson, of Georgia. Nothing need be added by me to make the case more plain. Dr. Dawson's own statement is ample in the premises. I proceed now to the last specification under this count.

SEVENTH SPECIFICATION.

DEFAMATIONS OF THE BIBLE BOARD.

In the Tennessee Baptist, whose editor is one of the Vice Presidents of the Board, No. 23, dated February 13th, 1858, Mr. Graves says:

"There is manifestly a systematic attempt to cripple down the Secretary of the Bible Board, on thepart of Anti-Landmark men, and editors. We allude to what has appeared in the Journal [Home and Foreign] from his associate editors [J. B. Taylor, A. M. Poindexter, and R. Holman] and the course of a part of the Baptist press, and the Anti-Landmark portion of the Board." All these things are calculated to make the position of the Corresponding Secretary uncomfortable, destroy his peace, and paralyse his influence, and usefulness." "Brother Dayton can be easily driven from the Board, and will certainly be by this treatment, but will the Board supply his place with a better man? He has done too much good to be let alone. He is enjoying too much of the love, and attracting too

much of the attention of Baptists, not to be compelled to suffer the penalty that superiority, or graet usefulness is ever doomed to pay."

In the Tennessee Baptist, No. 26, March 6th, 1858, Mr. Graves says, "The first attack upon Brother Dayton did not begin with this Sunday School Union. The ostensible leader of the Anti Landmark Baptists in this State, was 'A member of the Bible Board.'" "When the second volume of Theodosia appeared, and there was a probability, amounting to logical certainty, that the question would be set at rest, whether Pedobaptists were true churches of Christ, and whether not being such, they could have any lawfully ordained ministers, he made no attempt to reply to the arguments, but labored by artfully insinuated inuendoes to destroy the influence of the book," "by intimations that the author wrote not for the sake of truth, but for the love of money." "This was probably intended to reach Louisville in time to prevent the reappointment of so bad a man as Brother Dayton to so important an office as Corresponding Secretary."

He further says in the same paper:—"If Brother Dayton flattered himself that he would be permitted to rest in peace while his books were every day gaining larger circulation, and exerting a larger and more controlling influence over the minds of the best thinkers among the Baptists, he soon discovered that he was very much mistaken. A few months only had elapsed when 'A Member of the Bible Board' found occasion to introduce a resolution in the Board, calling for the appointment of a committee to examine the records of the Southern Baptist Convention, and ascertain the exact relation which the Bible Board was intended by the Convention, to sustain to the circulation of the Bible, and other religious books. The committee brought in a report, prepared without doubt, by the same member of the Board who moved the appointment.' "No inconsiderable part of it [was] designed to condemn or criminate the Secretary." "As the matter has thus, [in newspaper articles] been made public by others, and the Bible Board has by them been dragged into this controversy, much to our regret, we shall recur to this report again. But let no one charge us with having involved the Bible Board in the dispute. We wish the enemies of the [Southern Baptist Sunday School] Union, and the Old Landmark, could have let the Board alone. But since they seem to be determined to use it, and if need be destroy it for the sake of injuring the Landmark members of it, and the President of the Sunday School Union, we cannot help it."

And still further in the same paper Mr. Graves says:—"If the object is, as the manifestations force us to believe, to drive Brother Dayton from the Board, it is very probable they will succeed."

The Tennessee Baptist of April 10th, 1858, has the following announcement from Mr. Graves:—

"Brother Dayton, tendered his resignation to the Bible Board last Monday, to take effect immediately. There are some who will read this with pleasure."

In the Tennessee Baptist, No. 36, dated May 15th, 1858, Mr. Graves says:—

"We venture to prophecy that in less than four years there will be an attempt made to transfer the Bible Board from Nashville to Charleston, and combine its work with that of the Southern Publication Society. And if this plan should succeed, and the Board of that Society be created a Board of the Southern Baptist Convention, no one of the accusers of Brother Dayton will see any need of any more explicit instructions than the Bible Board has already received from the Baltimore, Montgomery and Louisville Conventions, to authorize it to engage largely in the joint distribution of Bibles, and our denominational and other religious books; not *a single dog of them all* will so much as wag his tongue in condemnation of them. And then will be rendered plain what now we can only guess at, for whether there may not have been *a secret plot* to ruin and destroy the credit of the Bible Board in Nashville, for the purpose of alienating the confidence of the churches, and the brethren from it, and thus prepare the way for the removal of the Board to Charleston."

Brother Moderator: Allow me to call your attention, and that of the church, to the following points which are contained in the extracts now read from Mr. Graves' paper. He maintains, as an analysis will show, the following propositions:—

1. That a majority of the Bible Board of the Southern Baptist Convention, conspired with certain men and editors, to "cripple down" Mr. Dayton.

2. That the Bible Board of the Southern Baptist Convention sought to annoy Mr Dayton and to destroy his influence and usefulness.

3. That the Bible Board of *the Southern Baptist Convention* could not let Mr. Dayton alone because he had done so much good.

4. That the Bible Board of the Southern Baptist Convention, persecuted Mr. Dayton from envy of his great popularity.

5. That because Mr. Dayton was superior to any of them, the Board sought to drive him from his office.

6. That the Bible Board of the Southern Baptist Convention persecuted Mr Dayton because he had proved in his book, that *Pedobaptists* have no true churches, nor lawfully ordained ministers.

7. That these officials of the Southern Baptist Convention pursued Mr. Dayton from the Board because his books had so large a circulation, and exerted an influence so controlling over the minds of the best thinkers among the Baptists.

8. That the object of the report of the committee of January last, was to criminate the Secretary, and thus secure the nefarious purposes dictated by envy, ambition, and malice.

9. That the majority of the Board were determined to *use* it, and if need be *destroy it*, for the sake of injuring the Landmark members of it, and Mr. Dayton.

10. That there was a secret plot in the Bible Board of the Southern Baptist Convention to *ruin* and *destroy its credit*, and alienate from it the *confidence* of the churches and brethren, *in order to get it removed to Charleston.*

11. That when this is done *the Southern Baptist Publication Society will use it for its purposes*, and no one will complain.

12. That the Bible Board *of the Southern Baptist Convention* is made up of a SET OF DOGS.

Of all this, brother Moderator, and brethren, what shall we say? Have you ever seen a more malignant exhibition of hatred, slander, abuse, defamation? And who are these members of the Bible Board of whom Mr. Graves and his allies speak in such terms in a public newspaper? As citizens, and professional and business men, they are regarded as equal to any others in this city. As Christians, and members of this church, they are among the most honored, intelligent, pious, and useful of our brethren. They are men well known and intrusted by our brethren of the Southern Baptist Convention, with the management of one of its Boards. Not a few of them are honored as our city officers. They have no personal interests whatever to subserve, and are utterly incapable of the low jealousy, envy, ambition, and malice of which they are so wantonly accused by J. R. Graves and his pliant associates. Week after week, and month after month they have for years neglected their own private business, and often pressing obligations, to attend to the interests entrusted to this Board. They are also the very members who are generally present at its meetings, and best acquainted with all its affairs. What they do in this department is purely a work of faith and labor of love, for the advancement of the cause of truth and salvation. If such brethren as these may not be trusted, in whom can we place confidence. They are worthy compeers of their brethren of the Foreign Mission Board in Richmond, Virginia, and of the Home Mission Board in Marion, Alabama. And who is their accuser? This trial has thus far shown, and the next count will show still more fully who he is. But I need not thus detain you. We have now seen how Mr. Graves has attacked, slandered and abused the Bible Board of the Southern Baptist Convention.

I now submit this count, brother Moderator, to the judgment of the church, the judges, and the only scriptural judges of the law, and the facts. You have now seen from ample unimpeachable and unquestionable testimony, that J. R. Graves is guilty of having gratuitously attacked, slandered, and abused, Rev. Dr. Fuller, of Baltimore; Rev. Dr. Waller, now deceased, of Kentucky, Rev. Dr. Everts, of Louisville, Rev. Dr. Duncan, of New Orleans, Rev. Mr. Tustin, of Charleston, Rev. Dr. Dawson, of Georgia, and the Bible Board of the Southern Baptist Convention. We might, indeed, have introduced many others as having been the objects of similar defamations,

as Rev. Dr. Crowell, of Missouri, Rev. W. C. Crane, Bestor, Chambless and Rev. Dr. Teasdale, of Mississippi, Rev. Messrs. Tichener, Henderson, and Taliaferro, of Alabama, Rev. Dr. Manly, and Mr. Kendrick, of Charleston, Rev. Mr. Hillsman, of Knoxville, Rev. Mr. Coleman, of Arkansas, Rev. Dr. Lynd, and brethren Caldwell, Brannen, and Tyler, of Kentucky, Rev. Drs. Dagg and Mell, of Georgia, and others. But we will not do so. We have presented a few names only, of the many of whom J. R. Graves is the public accuser, and defamer. The divine injunction in cases like this is imperative. The church, I doubt not, will obey it to the letter:—"Them that sin rebuke before all, that others also may fear."

The Moderator inquired whether there were any other remarks or testimony to be presented.

Mr. S. A. Davidson said he wished to express his views upon the whole subject, and inquired whether it would be in order to do so now.

The Moderator replied that it would not until the question now before the church was disposed of.

Mr. Davidson said he had acted with the minority during the progress of this trial, and he desired an opportunity to express his views upon the whole matter, and his object now was to inquire when it would be in order to do so.

The Moderator explained that a decision upon the fourth count would not be a disposal of the whole subject, but that that it would come up for the future action of the church, at which time the brother would be afforded the opportunity he desired.

Mr. Davidson then gave notice that when the matter came up for final disposal, he should make a speech covering the whole ground, in which he would express his views touching the case.

The Moderator stated that if there was any rebutting testimony to be offered, it would now be heard.

None being offered,

Mr. Fuller remarked it is apparent that no testimony is to be offered by the defendant, and he moved that the question be now submitted to the church.

The motion was concurred, in when

Mr. Fuller again read the fourth count in the charge against Rev. J. R. Graves.

The Moderator.—Those who believe that the fourth count in the charge against Rev. J. R. Graves has been sustained by the testimony adduced, will rise.

Upon a count it was ascertained that seventy-six members were standing.

The Moderator.—Those who believe that the fourth count in the charge against the Rev. J. R. Graves has not been sustained by the testimony adduced, will rise.

None rose.

The Moderator then declared that the church had unanimously decided that the fourth count in the charge against the Rev. J. R. Graves had been sustained by the testimony adduced.

Dr. Howell asked leave to make a personal explanation.

Leave was granted.

Dr. Howell said he had to-day received a note, from which he wished to read an extract. He did not know the author personally, but was advised that he is a man of truth and integrity, and a member in good standing of the Baptist Church in his neighborhood. He read as follows:

FAYETTEVILLE, TENN., OCT. 15, 1858.

REV. DR. HOWELL.

Dear Sir: I saw and conversed with a gentleman a day or two ago, that was a delegate to the Liberty Association, and also to the General Association, and speaking with reference to the difficulty between Graves and yourself, he told me that it was a common talk at the Association, among the delegates there, *that you had agreed with the Pedoes, for the consideration of the sum of fifteen hundred dollars, paid to you by Pedobaptists, to use all the influence you had against Graves*, in order to ruin h[illegible]

standard as a preacher, and as a man of veracity.

Dr. Howell remarked that he had just received this letter, and had read the extract to show the character of reports that are put in circulation to injure his standing, and he would ask whether it was necessary for him, as the pastor of this church, to formally deny the charge that he had sold himself to the Pedobaptists for $1,500? That was all he had to say in regard to this report.

Mr. Nelson moved that a copy of the charges preferred against Rev. J. R. Graves by S. M. Scott and himself be forwarded to Mr. Graves, as he understood a copy had not been sent him yet, and that he be notified that they will be set for trial at the next regular meeting of this church, which will be Wednesday evening, the 10th of November.

Mr. Scott said that before the question was taken upon this motion, he begged leave to withdraw the first specification in this count.

Leave was granted, and the first specification, as read, was withdrawn.

And then

The motion of Mr. Nelson was concurred in.

Dr. Howell moved that when this meeting adjourns, it adjourn to meet at seven o'clock, Wednesday evening, the 10th of November, the time for the next regular meeting of the church.

The motion was concurred in.

And then,

The meeting adjourned, with prayer by Dr. Howell.

Wednesday Evening, Nov. 10th, 1858.

The Church met pursuant to adjournment, and the session was opened with the reading of a portion of scripture by the Moderator, and prayer by Dr. Howell.

The report of all the proceedings in this trial, from its commencement, as made by Mr. McKee, the gentleman employed for that purpose, was read, corrected, and adopted as the record of the church.

The Moderator then stated that the business now before the Church was the fifth and last count in the charge which had been preferred against J. R. Graves, by brethren Scott and Nelson.

The Clerk then read the charge as follows:

We, the undersigned, members of the First Baptist Church, Nashville, Tennessee, charge Rev. J. R. Graves, a member of said church, and one of the editors of the *Tennessee Baptist*, with grossly immoral and unchristian conduct, in that he has uttered and published in his said paper the following wilful and deliberate falsehoods:

1. "We can, with a clear conscience, appeal to the Judge of all the earth, that we have not intentionally injured any man, and if we have unwittingly done so, we truly regret it and are willing to repair the injury."

2. "All that we could rightly do to effect a reconciliation, though the offended and assailed party, we have done."

3. "It will be seen that both the *lash* and the *law* have been threatened against one or all the editors of this paper."

4. "Reports have been put forth from this city and circulated in it, that the Senior Editor of this paper was a vile character, a dishonest man, and that frightful revelations would be made of his standing at home when the church trial came off. (Note) Elder Howell made this charge before he had been in the city nine months."

5. "What frightful crimes are we charged with? The most stupendous one is the leaving off the D. D. from the name of R. B. C. Howell in the Southern Baptist Register for 1858!"

6. "We are arraigned before the church for grossly immoral conduct and atrocious libel, &c., because we have left the D. D. off Elder Howell's name.'

7. "One of the very prosecutors he [Howell] employs, C. A. Fuller, can threaten to cowhide Elder Dayton, not only in

his office, but even in the hearing of the whole church, and not so much as a reproof is offered him."

8. "The other principal orator of the 21st September, [Dr. W. P. Jones,] is not only known to Elder Howell as a teacher of gross heresy in his class—teaching views calculated to overthrow one of the articles of faith of the First Baptist Church, a fundamental article of christianity and religion—but known also to Elder H. and the church, as the public defamer of Elder J. M. Pendleton; not only so, but he is permitted to defame Elder J. M. P. in the *church* meeting of the 21st, before Elder H.'s face, without receiving so much as a reproof from Elder H."

9. "Our readers will notice the closing period of Mr. Fuller's article. [I defer further remarks until a future opportunity, when A. C. Dayton shall have no occasion to say he has not reaped an ample reward for the vituperation in which he has of late so freely indulged.] It is singular language for a Christian gentleman to use towards a brother in the same church, and a brother Mason. Such threats of brute violence, which have been twice repeated—once to Brother Buchanan and once upon the floor of the church, in church meeting, reflect no credit upon either Mr. Fuller's *bravery* or his principles."

S. M. Scott.
A. Nelson.

The Moderator said that the Church had heard the allegations now read. If J. R. Graves were present he would call upon him to plead guilty or not guilty, but since he was not present, the call would be preposterous. He asked whether any one was authorized to plead for him. No one answered. The Moderator said, the Church will now hear the prosecution upon this count in the charge against J. R. Graves.

Mr. S. M. Scott asked leave to accompany the evidence with a commentary.

Dr. W. P. Jones suggested that it would be more in accordance with general usage to have the evidence presented first.

The evidence was then read.

Mr. Scott said:

Brother Moderator and Brethren:—The specifications which we present, containing the falsehoods alleged in this count, are all taken from one and the same number of the Tennessee Baptist.

We, the undersigned, members of the First Baptist Church, Nashville, Tennessee, charge Rev. J. R. Graves, a member of said Church, and one of the editors of the Tennessee Baptist, with grossly immoral and unchristian conduct, in that he has uttered and published in his said paper, the following wilful and malicious falsehood:

SPECIFICATION FIRST.

Tennessee Baptist, dated Oct. 9th, 1858, Mr. Graves says: "We can, with a clear conscience appeal to the judge of all the earth, that we have not intentionally injured any man, and if we have unwittingly done so, we truly regret it, and are willing to repair the injury."

We refer to the testimony on all the preceding counts, as proof that he has intentionally injured this church, its pastor, and some of its members: and, to his rejection of all appeals to him to retract and "repair the injury," that he *does not* truly regret, and is not willing to repair the injury.

We refer *specifically* for proof that Mr. Graves here asserts a wilful falsehood, to the fact, that prior to this announcement by him, brethren Winston and Fuller had *explicitly* stated in a note to Mr. Graves, that "we are authorized to say that brother Howell will do whatever is demanded by honor or religion," "but (continued those gentlemen,) that the plan may be definitely settled at once, we [Winston and Fuller,] offer the following basis of settlement.

Then followed a reciprocal proposition—that is—a proposition that R. B. C. Howell and J. R. Graves should *each* withdraw, as publicly as they had made, all offensive charges against the other.

Could more noble or equitable propositions have been made by mortal man? Then too, brethren Winston and Fuller accompanied these magnanimous propositions with an expression of *their sincere desire* to settle this difficulty. But, Mr. Graves, who thus solemnly "appeals to the judge of all the earth;" who with so much parade pledges his willingness to repair any injury, rejected these propositions! He not

only refused to repair the injuries done his pastor and brother by withdrawing his accusations, but absolutely refused, or rejected all honorable or religious adjustment whatever. For Elder Howell, as before stated, had in so many words proposed to do "whatever is demanded by honor or religion." What more could your pastor—could *any* christian gentleman propose? You see at once how utterly groundless and shamelessly false is Mr. Graves' solemn declaration in so far as pertains to Elder R. B. C. Howell.

Mr. Graves, in reference to a thing, about which he knew just nothing at all, virtually charged Jno. L. Waller with lying. Waller repeatedly and affectionately addressed him private letters expecting to be set right before the readers of the Tennessee Baptist. And finally, he wrote Mr. Graves, in these impressive words: "I have done all, that honor, friendship, or christianity required me to do. * * * * * When I wrote to you as a friend and a christian, affirming solemnly what I had written to be true, instead of correcting, or even alluding to my affirmation, you substantially restate your charge, and even aggravate it," etc. *Thus is Mr. Graves' assertion in the name of the judge of all the earth*, proven to be *a wilful falsehood* as pertains to Jno. L. Waller.

Many of you know that Mr. Graves assailed the editor of the "*New Orleans Baptist Weekly Chronicle*," in a very rude, objectionable and reproachful manner. You know that Elder W. C. Duncan charged Mr. Graves with many falsehoods, and called upon this church to listen to his allegations. You, however, gave no attention to these things until recently, and Mr. Graves persistently refused to do justice or in any wise repair the injuries done this brother. Mr. Duncan says he "has several times proposed arbitration of the points at issue between him and the editor of the Baptist, but these proposals were treated with silence or rejection. He [Duncan] has asked repeatedly to be allowed a defence in the columns of the Tennessee Baptist, and has as often been refused. He has written private letters requesting that these *repeated* acts of hostility should cease, or that responses should be allowed in the Baptist, but, the attacks have not ceased, and the responses have not been allowed."

Thus by the testimony of Elder W. C. Duncan, is the assertion of Mr. Graves, though made under the solemnity of an oath, proven to be, a wilful and deliberate falsehood.

Those of you who were readers of the Tennessee Baptist, cannot have forgotten the excitement which Mr. Graves, through anonymous communications succeeded in getting up, and for a great while maintaining against the Walnut street Baptist Church in Louisville, Ky. Elder W. W. Everts says: "Mr. Graves admitted an anonymous article into his paper, seriously reflecting upon the Walnut street Baptist Church and pastor, and containing both *palpable falsehoods* and *miscolorings*. Dr. W. B. Caldwell wrote an answer in explanation and vindication of our church, which, as he did not wish his name brought before the public, I forwarded, authorizing the use of my name as responsible for the article. But though an anonymous, slanderous attack had been published, the *endorsed* vindication was rejected as anonymous. Meantime another anonymous article was allowed to appear, *reasserting the former* slanders and sowing seeds of distrust and strife. Whereupon another brother (T. A. Reed) of this city, formerly a friend of Graves, wrote to Graves, remonstrating against the injustice he was doing to the Walnut street Baptist Church and pastor, by his anonymous and slanderous publications, and setting us right before the readers of the Tennessee Baptist. This letter was not allowed to appear. Still a third; and I think a fourth slanderous article was allowed to appear anonymously, with, I believe, new editorials, and enforcements, &c., &c. Brother Reed, after waiting for the appearance of his first communication, sent a second, and after waiting a considerable time for the appearance of that, wrote a third. Whether he was discouraged from forwarding the third, from what seemed a persistent purpose to withhold justice, I know not. But some time later, Wm. Garnett, in the Western Recorder, in a short article challenged the name of the writer of these calumnious articles, and pledged himself to prove *five palpable falsehoods* in them as well as *gross miscolorings* if a responsible name

were given. All this passed, but no *justice* was ever done to us by the Tennessee Baptist, or apology offered."

Thus is Mr. Graves proven, not only guilty of publishing wilful and deliberate falsehoods in reference to the church and brethren in Louisville, and to their serious injury, but also of persistently refusing to repair the injuries done; and thus, too, his assertion in the name of the judge of all the earth, is proven a twofold falsehood, wilfully and deliberately uttered and published.

These are but specimens of many similar testimonies in our possession, and which we are prepared to present, but deem it unnecessary, as in the mouth of two or three witnesses, every word is established.

SPECIFICATION SECOND.

Mr. Graves says: "All that we could rightly do to effect a reconciliation, though the offended and assailed party, we have done."

He well knows that he has rejected all overtures of every character which have been made to him, and all appeals to consent to a reconciliation, although assured in writing that the party referred to would do *anything* demanded by honor or religion. All must see, therefore, and know that this too, is a wilful violation of truth—a deliberate falsehood.

Mr. Graves, or any other man of honor or religion, or even destitute of both, could rightly accept or make some proposition for reconciliation, within the pale of honor or religion.

We ask, whether in the annals of the human race, such a proposition as was made by Elder Howell, was ever before rejected by any one professing to be a christian gentleman?

SPECIFICATION THIRD.

"It will be seen," says Mr. Graves, "that both the *lash* and the *law* have been threatened against one or all the editors of this paper."

This is said of Chas. A. Fuller's speech in the church meeting on the night of the 21st of September last. A large number of brethren and sisters were present at that meeting, and know the statement to be false, but with the view of eliciting positive proof upon these points, we have to request that you, brother Moderator, will call upon all the brethren and sisters here, who were present at the meeting referred to by Mr. Graves to rise: and while they stand that you will ascertain the number; then put the question: "Those, who heard C. A. Fuller or any one, threaten any one or all the editors of the Tennessee Baptist with the *law* or the *lash*, will please rise," and note the number, if any. Then put the question, those who neither heard such remarks, nor believe that any such were made, will rise—note also the number.

Mr. Fuller said it was important to ascertain how many were here to-night of those who were present at that meeting on the 21st of September, as he wished them to express an opinion as to the truth or falsity of the assertion of Mr. Graves, as to what he (Fuller) had said.

Dr. W. P. Jones suggested that those present at the meeting on the 21st of September, be requested to rise, and after the number has been ascertained, that they be seated and then give the desired expression by rising.

The Moderator then requested all present who were at the meeting held on the 21st of September, to rise.

Upon a count, it was ascertained that there were sixty-one present who had attended that meeting. All resumed their seats.

The Moderator. Those who were present at the meeting on the 21st of September, and who know the statement of Mr. Graves, which has just been read, to be true, will rise.

None rose.

The Moderator. Those who were present at the meeting on the 21st of September, and who know that Mr. Fuller did not make the threats, as charged by Mr. Graves, will rise.

Upon a count it was ascertained that fifty-six were standing.

Mr. Scott resumed:

I have thus, brother Moderator, established the third specification by fifty-six witnesses, whose testimony not one arose to question. There can be no doubt of the fact that Mr. Graves is guilty under this specification of wilful and deliberate falsehood. I now proceed to

SPECIFICATION FOURTH.

Mr. Graves says: "Reports have been put forth from this city, and circulated in it, that the Senior Editor of this paper was a vile character, a dishonest man, and that frightful revelations would be made of his standing at home, when the church trial came off." In a note he makes the first part of this apply to our pastor. He says: "Elder Howell made this charge before he had been in the city nine months." We are authorized to say that "Elder Howell" denies this charge, and demands proof from disinterested witnesses. In the absence of such proof it is a falsehood.

Dr. Howell asked that an extract from a letter from one of the deacons of the Freemason street Baptist Church, Norfolk, Va., of which church A. B. Hendren, a voluntary assailant, professes to be a member, should be read, and appended to, and made a part of the testimony under this specification. Mr. Scott acquiesced. Dr. Howell said:

Before reading the extract he begged to state, that he had known Mr. Hendren in his early life. He had been intimately acquainted with his family, and relatives, who were excellent people, and most of them members of the church in Norfolk, of which he, in his youth, was pastor; which is to say from the beginning of 1827, to near the close of 1834. When *this* Mr. Hendren came to this city some months since, he received him warmly, interested himself in his behalf, and did all he could to procure business for him in his employment of a house-builder. He had to this end taken special pains favorably to represent him to his friends. He regretted even now, to say one word in disparagement of him, and would not do so, were he not compelled. The extraordinary publication of Mr. Hendren had left him no alternative. He must either be silent, and allow that gentleman to fix his malicious imputation upon him, or he must defend himself by showing from unquestionable sources, to what reliance Mr. Hendren is entitled. He did this with the sincerest reluctance. If Mr. Hendren suffered from the exposure he had compelled him to make, he had to thank only himself, and his unscrupulous friend, Mr. Graves.

The extract is as follows:

"I have always regarded A. B. Hendren, and so I think have all who know him well, as an exceedingly excitable, impulsive, indiscreet man, too ready to catch at any thing before understanding it, and likely, beyond almost any one I ever knew, to speak and act unadvisedly. In such an issue as that you mention, between him and Dr. Howell, there cannot be two opinions among those who know the parties.—You cannot find here a man who has any confidence in Hendren."

Mr. M. B. Howell explained that this letter was in reply to a letter from himself to that gentleman. He had understood that he knew something of the character of Hendren, and he had written to him requesting a statement of the facts within his knowledge, and had received the reply from which the extract had been read.

[From another letter since received, from the same gentleman, the following is taken:—

"I saw in the last Tennessee Baptist, a communication from A. B. Hendren, in which he attempts to charge you with falsehood. It is preposterous to suppose that any thing he could say should injure you. He was notorious here for the violation of his business engagements, and disregard of his word, to such an extent that no one I have ever heard speak of him, has the slightest confidence in him." "His whole course here was wayward, and vascillating, and his general character in this community was *very far* from being that of a man of *unimpeachable veracity*."

This is the testimony of an officer of the church of which Mr. A. B. Hendren was a member, in Norfolk, Virginia. It will

be sufficient, perhaps, to add the following:—

FREEMASON STREET BAPTIST CHURCH, Norfolk, Va., April 15th, 1858.

At a meeting held this date, a letter was presented from Mr. Andrew B. Hendren, and read, asking for a letter of dismission from this church, to join the Baptist church at Nashville, Tenn.

Upon statements made by brethren J. Hardy Hendren, and Charles H. Langly, relative to conduct of brother Andrew B. Hendren, while in Salisbury, North Carolina, which they learned from good authority, to have been of such a character as to justify his expulsion from this church.

On motion, brother Andrew B. Hendren was expelled.

(A true copy of the proceedings.)

JOHN WHITE,
Church Clerk.

State of Virginia, City of Norfolk.

This day personally appeared before me, W. A. C. Ellis, a Notary Public for the city and State aforesaid, [John White] and acknowledged the above writing to be his act. Given under my hand and seal, this the 29th day of November, 1858.

WM. A. C. ELLIS,
Notary Public.]

Dr. Howell thought it necessary to say so much in regard to the credibility of the gentleman whose certificate Mr. Graves thought proper to foist into these proceedings on the first night of this trial. The church now knows what weight they ought to attach to the volunteered statement of Mr. Andrew B. Hendren. He repeated that he regretted to present these facts, on account of the pain they will give the family and friends of Mr. Hendren, whom he highly esteemed, but he was compelled to do so, in self-defence.

Mr. Scott resumed:

I proceed to

SPECIFICATION FIFTH.

Mr. Graves says:—What frightful crimes are we charged with. The most stupendous one is the leaving off the D. D. from the name of R. B. C. Howell in the Southern Baptist Register for 1858."

The charge against Mr Graves had been in his hands when he wrote the above, several weeks, and he knew that it contained no such charge. The charge is as follows:

"We the undersigned, members of the First Baptist church, Nashville, Tennessee, charge Rev. J. R. Graves, a member of said church, and one of the editors of the Tennessee Baptist, with grossly immoral and unchristian conduct, in four distinct cases, as follows:

First, in that he has sought to bring upon R. B. C. Howell, the pastor of said church, reproach and injury, and thus to destroy his character and influence in the Southwest, by forcing him into collision with Rev. A. C. Dayton, late corresponding Secretary of the Bible Board, and now one of his associate editors, through the publication in his said paper of various false and malicious representations.

Secondly, in that he has endeavored to distract and divide said church, by means of a conflict between its pastor and four of its deacons, and several others of its influential members, which he has labored to produce by numerous inflammatory articles, published in his paper.

Thirdly, in that he has uttered and published in his said paper against R. B. C. Howell, the pastor of this church, sundry foul and atrocious libels.

Fourthly, in that he has at various times attacked, slandered, and abused ministers and brethren of high character, belonging to our denomination throughout the country, in his said paper. Signed,

J. C. DARDEN,
C. A. FULLER.

Mr. Graves endeavors to excuse himself by an allusion to the Southern Baptist Register, in which he says the D. D. was left off Elder Howell's name. But the Southern Baptist Register is alluded to only once in the specifications, and then under the first count, which charges Mr. Graves with endeavoring to force Dr. Howell into collision with A. C. Dayton. Leaving the D. D. off Dr. Howell's name could have no influence in forcing him into collision with A. C. Dayton. Nor is it possible that Mr. Graves should suppose it

would have that effect. How then could he say that one of the most stupendous crimes with which he is charged, is leaving the D. D. off R. B. C. Howell's name? No such charge is made, nor could Mr. Graves have supposed that such a charge was brought against him. It was a wilful and deliberate falsehood, uttered and published without so much as the semblance of truth.

SPECIFICATION SIXTH.

Mr. Graves says: "We are arraigned before the church for grossly immoral conduct, and atrocious libel, &c., because we have left the D. D. off Elder Howell's name."

The church knows that this is false, and you all remember that Mr. Graves admitted, before the large concourse of people assembled in this house, in the beginning of this trial, that when he wrote this sentence he had the charges (as just read) in his possession.

He therefore knowingly and deliberately, with the truth before his eyes, preferred the falsehood. He deliberately penned, printed, published and circulated to thousands of readers, a falsehood in preference to the truth. This assertion like the foregoing, is utterly destitute of so much as the shadow of truth, and Mr. Graves knew it.

SPECIFICATION SEVENTH.

Mr. Graves says: "One of the very prosecutors he [Howell] employs, C. A. Fuller, can threaten to cowhide Elder Dayton, not only in his office, but even in the hearing of the whole church, and not so much as a reproof is offered him."

"The whole church" present at the time referred to by Mr. Graves in this specification, heard doubtless every word that C. A. Fuller said, and well know that he said no such thing.

But that truth may be doubly vindicated, and unblushing falsehood exposed, we ask again, Bro. Moderator, that you will request all the brethren and sisters who were present on the occasion referred to, and who understood Mr. Fuller to threaten to cowhide Elder Dayton, to rise?

Then ask, if you please, all who know that Mr. Fuller did not so threaten Mr. Dayton, to rise.

The Moderator: All who were present at the meeting on the 21st of September, and know that Mr. Fuller threatened to cowhide Elder Dayton, as charged by the Rev. J. R. Graves, will rise.

None rose.

The Moderator: All those who were present at that meeting, and know that Mr. Fuller did not threaten to cowhide Elder Dayton, as charged by Mr. Graves, will rise.

Upon a count it was ascertained that fifty-six were standing.

Mr. Scott resumed:

This specification, also, brother Moderator, is sustained by the testimony of fifty-six unimpeachable witnesses. The allegation of Mr. Graves is proved to be a bold and unblushing falsehood. I proceed:

SPECIFICATION EIGHT.

Mr. Graves says: "The principal orator of the 21st September, [Dr. W. P. Jones,] is not only known to Elder Howell, as a teacher of gross heresy in his class, teaching views calculated to overthrow one of the articles of faith of the First Baptist church, a fundamental article of christianity and religion—but known also to Elder H. and the church, as the public defamer of Elder J. M. Pendleton; not only so, but he is permitted to defame Elder J. M. P. in the church-meeting of the 21st, before Elder H.'s face, without receiving so much as a reproof from Elder H.

"Elder Howell," we are authorized to say, knows nothing of Dr. Jones' heresies in the case charged, except through the statement of Mr. Graves, upon whose veracity he has learned not to rely.

"Elder Howell" and the church do not know Dr. Jones as the public defamer of Elder J. M. Pendleton.

Elder Howell was not Moderator of the meeting of the 21st September, and therefore, even if Dr. Jones had then and there defamed Elder J. M. P., was not in a position to administer a reproof. The whole statement is a falsification.

SPECIFICATION NINTH.

In an article published by C. A. Fuller,

he used, in the closing sentence, the following language:

"I defer further remarks until a future opportunity, when A. C. Dayton shall have no occasion to say he has not reaped an ample reward for the vituperation in which he has of late so freely indulged." Upon this sentence Mr. Graves says: "Our readers will notice the closing period of Mr. Fuller's article. It is singular language for a christian gentleman to use towards a brother in the same church, and a brother Mason. Such threats of brute violence, which have been twice repeated—once to brother Buchanan, and once upon the floor of the church, in church meeting, reflect no credit either upon Mr. Fuller's *bravery* or his principles."

Does deferring further remarks to a future opportunity constitute a threat of brute violence? Mr. Fuller made no such threat, and it must be evident to every member of the church, upon the bare reading of this language of C. A. Fuller, that it contains no threat of brute violence. The statement of Mr. Graves is, therefore, plainly false.

Many other specifications might be presented, but these are sufficient. It is unquestionable that Mr. Graves is guilty of falsehood as charged against him.

The Moderator: Are there any remarks to be offered in defence? If not, we shall proceed to put the question to the Church.

The Moderator: Those members who believe that the charge of falsehood against the Rev. J. R. Graves has been sustained by the evidence adduced, will rise.

Upon a count, it was ascertained that seventy-nine were standing.

The Moderator: Those members who believe that the charge of falsehood against the Rev. J. R. Graves has not been sustained by the evidence, will rise.

None rose.

The Moderator then declared that the Church had unanimously decided that the charge of falsehood against the Rev. J. R. Graves had been sustained by the evidence.

Mr. Fuller said it seemed from the evidence submitted to the Church and the decisions arrived at so far, that there could not be a doubt as to the guilt of the accused, that he had been found guilty upon every count, and as to the duty of the Church in the premises, there could be no question. The Church should put upon the accused the highest seal of its condemnation. He was satisfied the Church had acted throughout this trial, with a firm determination to do justice, let the consequences be what they may, and with that action he should be satisfied.

Mr. Fuller moved that

Whereas, Each church is the divinely appointed guardian of the morals of its members; and, *whereas*, Rev. J. R. Graves has, upon an impartial trial, been found guilty of grossly immoral and unchristian conduct:

First, in that he has sought to bring upon R. B. C. Howell, the Pastor of said church, reproach and injury, and thus to destroy his character and influence in the Southwest; by forcing him into collision with Rev. A. C. Dayton, late Corresponding Secretary of the Bible Board, and now one of his associate editors, through the publication in his said paper of various false and malicious representations.

Secondly, in that he has endeavored to distract and divide said church, by means of a conflict between its pastor and four of its deacons, and several others of its influential members, which he has labored to produce by various inflammatory articles, published in his paper.

Thirdly, in that he has uttered and published in his said paper against R. B. C. Howell, the pastor of this church, sundry foul and atrocious libels.

Fourthly, in that he has, at various times, attacked, slandered and abused ministers and brethren of high character, belonging to our denomination, throughout the country, in his said paper.

Fifthly, in uttering and publishing nine wilful and deliberate falsehoods, specified in the foregoing proceedings:

Therefore, *Resolved*, That *the Rev. J. R. Graves be formally excluded from fellowship in this Church.*

The Moderator stated that the question

under the motion just submitted, was open for discussion, and any one having remarks to make would now be heard.

Mr. S. A. Davidson said he had on a former occasion expressed a desire to make some remarks upon the points involved in this trial. He had a motive in view then, which does not hold now, and, consequently, he had but little to say. He stated that he had sympathized with the minority at first, and disapproved of the action of the Church in this matter, because he believed it was a personal quarrel, that ought to have been settled privately. He also disapproved of the course of the minority, because he feared it would result in injury to the Baptist Church. The object he had in desiring to address the Church, was to see if something could not be done to avert the consequences which were likely to result from the action of the Church on this matter. But, alas, it was now too late to effect what he had desired—the harmony and the welfare of the Church. He believed that it was a fixed fact that Mr. Graves was to be expelled, and it would, therefore, be folly to say anything in the hope of averting this result.

Dr. W. P. Jones thought the brother was not in order.

The Moderator decided that Mr. Davidson was in order.

Mr. Davidson, resuming, said that from the evidence adduced on the trial and the protest of Mr. Graves, he learned that the difficulty between Dr. Howell and Mr. Graves had its origin in misunderstanding each other. Dr. Howell had opposed the proposition in the Convention here last year for the establishment of a Sunday School Board of Publication, and he had opposed it in an able manner, as he always does oppose or advocate a measure, and Mr. Graves had defended that proposition, and he thought neither had done wrong in this respect, and his opinion was that this difference in regard to the policy of establishing a Sunday School Board of Publication, was not a matter for Church discipline. Both claimed to have been the assailed party, and either had a right to demand a personal explanation. Dr. Howell's "Index Letter," as it is called, was regarded as an assault upon Mr. Graves, but Mr. Graves did not proceed in regard to what he complained of in this respect, according to the 18th of Matthew, but assailed Dr. Howell in return, and thus widened the breach.

Mr. Davidson said that in cases like this, he thought the one that complained ought to have sought a private interview, in the hope of bringing about a proper adjustment, and he thought Dr. Howell was the one to have made this advance. In regard to the proposition that had been made for a settlement of the difficulty, he was not prepared to give it his sanction. For a man to take back what he had said was not always the best mode of settling difficulties between christians, and, therefore, he thought the demand should not have been made. When a difficulty occurs between politicians and editors, and the matter is referred to friends, if a retraction is demanded and refused, a duel is the consequence. To make a statement and then take it back, carries with such a course a species of degradation, because the statement was made upon what the author regarded as reliable authority. He had, therefore, objected to Dr. Howell's proposition, and this was the reason he wished to address a few remarks to the Church. Christians should have a better way of settling difficulties than this. They can forgive one another, according to the gospel, whose teachings they professed to follow. If was God-like to forgive, and it was in this spirit he had desired to appeal to the Church, but alas, it was now too late.

In regard to the specifications in the

charges, Mr. Davidson thought there might as well have been ten thousand as ten, as they were all a good deal alike, and when divested of everything of a personal and exciting nature, they were not of so serious a character that a satisfactory adjustment might not have been had without an appeal to the Church. Neither Dr. Howell nor Mr. Graves will outlive the evil consequences to the Baptist Church of this trial.

He deeply regretted the action of the Church. Mr. Graves' friends do not believe the charges, and will treat the decision of the Church with contempt.

Dr. Howell said:

Brother Moderator: I did not intend to have spoken again in the progress of this trial. I desire, however, to say a few words, and they shall be as few as possible, in answer to brother Davidson. He will allow me to assure him in advance, that every remark I may think it my duty to make, shall be uttered in christian courtesy, and with that sincere personal regard that I have so many reasons to cherish. I have known him for many years. I have known his father from my youth. Two of his brothers were fellow students with me in college. They both became ministers, and I loved them sincerely. I am under special obligations to him for kind attentions shown me in years past, in hours of disease and intense suffering. In the course he has thought himself obliged to pursue in regard to this trial, I believe him to be actuated by pure motives, and a sense of obligation to the cause of Christ. I cannot, therefore, speak of him, but in terms of unaffected respect. He has, however, greatly mistaken both *the facts* in the case, and the *teachings* in regard to them of the word of God. Of this I cannot but hope he will himself be convinced when they are properly before him. But, however this may be, he and you will, I trust, hear me candidly and patiently.

Brother Davidson tells you, brother Moderator, that he "Disapproved the action of the church in this matter." Why he did so he has distinctly stated. I am glad that he has, since we can now examine his reasons dispassionately, and show him, and others who have entertained similar impressions, that they are wholly without foundation. He believed the whole disturbance, as he says, "A private quarrel which ought to have been settled privately," and that, therefore, the church, when the charge was preferred originally by brethren Darden and Fuller, and subsequently additionally, by brethren Scott and Nelson, ought not to have entertained it; and having entertained it erroneously, he believed that you ought, when the motion was made, to have remanded it, that is, dismissed it, on account of its informality. This is the ground taken, as you know, by the Tennessee Baptist, the conductors of which then had brother Davidson's ear. He has not read that paper, he tells us. I do not question the statement. I only know he uses its thoughts and language. Nor has his conversation been with those who would be likely to correct his erroneous impressions. An article appears on the first page of the "Baptist Standard" of this week, proving that the facts are all precisely the opposite of what brother Davidson supposes. Every word of that article I endorse, and wish it to be considered, and recorded, as my answer to his speech.

[A large portion of what follows in this address, is a reproduction, subsequently written out, of the substance of that article. It is not recollected that any new thought is introduced, but some parts of it are, for convenience and applicability, abridged severely, and others are carefully elaborated.]

The developments which have been made in the progress of this trial, show as conclusively as that two and two make four, that Mr. Graves' offences with which he is charged before the church, are not *private*, but *public*, and in the most full and emphatic sense. This being unquestionably true, it is certain not only that the church acted correctly both in *entertaining* the charge, and *refusing* to remand, or dismiss it, but also that it could not have acted otherwise than as it did, without sinning against God and the brethren. We dared not longer foster in its bosom, this man, unrebuked. The voice of *God* is continually ringing in our ears, "Put away from

among you that wicked person." Our *brethren* from all quarters—Kentucky, Missouri, Arkansas, Mississippi, Louisiana, Alabama, Georgia, South Carolina—are appealing to us for defence against his *vituperative* and *libellous* assaults. They could not reach Mr. Graves but through our action. The ægis of our protection has, up to this time, been over him. *His* public shame was settling down *upon us*. For all this either there *were*, or there *were not* good reasons. In *either case* a man of any christian feeling, should have demanded your action. That on the contrary Mr. Graves violently, desperately, resists it, is proof positive of his deep guilt, of which he well knew, should a fair trial be permitted, he must be convicted. Under these circumstances, how could we longer remain silent, without *betrayal*, nay more, without an *abandonment* of the cause of Christ, which we are all solemnly pledged to love, honor, and defend.

Brother Davidson did, *at first*, he tells us, "Sympathize with the minority," that is, with Mr. Graves, and his faction. His sympathy with them has *now* ceased. Nor is he alone in this feeling. Not a few others whose names I could mention, who voted to remand the case, are with brother Davidson in this respect. They are *now* heartily with the church, and fully prepared to acquiesce in its decision. They know that Mr. Graves, by his friend, announced in your preliminary proceedings, his purpose to attend, and defend himself against this charge. They were present and saw that although he indulged in great violence, he made no schismatic movement until after a *very decisive vote of the church*, which plainly indicated that he could not so control its action as to make it subservient to his purposes. Then it was, and not till then, that Mr. Graves and his partisans seceded, and set up for themselves. Brother Davidson was also a witness to those *midnight* proceedings, of which, until then, we did not suppose any member of this church, not even Graves himself *capable*, and which were not only abetted, but actually headed and carried forward, by men from abroad, who had been brought here for the purpose. R. G. Kimbrough was the chairman of that factious assemblage, and among its chief speakers, who blew the fires of discord, were such as Grimmett, and Pendleton, and Stevenson, and Clement. These men had *thrust themselves, uninvited*, into our sanctuary, to aid this faction in our disorganization, and what they doubtless hoped would be our destruction. The *deed*, and the *hour*, were worthy of each other. "Every one that doeth evil, hateth the light, neither cometh to the light lest his deeds should be reproved." Upon such a scene as that the sun should never shine. Then and there they "crucified the Son of God afresh, and put him to an open shame." Forty-one voted to remand the charge, and among them brother Davidson. Mr. Graves recorded carefully the names of them all, claimed them as belonging to him, and so reported to the General Association. Some of them resisted—brother Davidson for instance. They did not consider that because they voted to remand the case, they were therefore, as a matter of course, obliged to *join his faction*. All this brother Davidson saw. He was satisfied. *His sympathies were at an end.* I am pleased to hear from his own lips, that he does not approve the *schism* perpetrated on that night, and that he remains in his place, unmoved as a member of this church. These remarks, by the way. We proceed to examine more especially the reasons assigned by brother Davidson, why he supposed, as he tells us, that we ought not to have entertained the charge, and that when the motion was made, it ought to have been remanded. He says it was "Because he believed it *a personal quarrel*, and that it ought to have been settled *privately*."

Others fell into the same error with brother Davidson, and doubtless through the same means, the false representations of the Tennessee Baptist and its advocates, who labored from week to week, to make this impression upon the public mind. Not a few other honest and excellent brethren, believed at first, these representations, because they supposed that Mr. Graves would not falsify the facts, as they must now see that he has done. The several counts, specifications, and proofs that sustain the charge, are before them. Do they still believe that all this affair is "a *personal quarrel*" between J. R. Graves and his pastor, that *ought to have been*, or that possibly *could* have been

settled privately? Is it necessary now to review this whole case, to prove what in its progress, has so often and so clearly been demonstrated, that the offences for which Mr. Graves has been tried, of which he has in every case been found guilty, and for which the motion now pending is, that he shall be *expelled from membership in this church*, were *all public*, and most *flagrant?* The first charges him with "*sowing discord among brethren*," in which he was disastrously successful. The second count charges him with *schism, or division of the church*, and in this also he has painfully succeeded. The third, that he has *uttered and published numerous libels* upon his pastor; the fourth, that he has *attacked, abused and slandered* brethren abroad, as well as at home; and the fifth, that he has *uttered and published various known and deliberate falsehoods*. All these, together, now established by full, and indubitable testimony, place the fact beyond question, that J. R. Graves is guilty as charged, of "*Grossly immoral and unchristian conduct.*" And call you these offences, of which you have found this man guilty, "*a private quarrel?*" Was it *all* a private quarrel? Surely no one can believe it was. Was *any part of it* a private quarrel? If so, *what part of it?* The discord sown among brethren, to break down and destroy his pastor; was this private? Was the division of the church, by means of a conflict between eight or ten of its members private? Were his defamations of brethren throughout the country, from Baltimore to New Orleans, private? Were his published libels private? Were his written and published falsehoods private? Did *all these together* constitute "a private quarrel" between your pastor and J. R. Graves? We do not think so. This church has by vote declared that it does not think so. Does brother Davidson still think so? It seems to me *impossible.*

But I was involved in the matter *by name*, and therefore my brother thinks it must have been *private.* But the Moderator, too, was involved in it by name, and so were brethren J. D. Winston, and Fuller, and Jones, and Darden, and Scott, and Nelson, and Bang, and many others at home, and Fuller, and Tustin, and Everts, and Duncan, and Dawson, and others abroad. Was it a private quarrel with *each one of us,* and *of them?* If so, pray tell me *what constitutes a public quarrel?* Can there be such a thing? It would seem not, according to brother Davidson. Personally I was no more involved than were others. I am your pastor. That is all. And without doubt *that is my great offence*, and I believe it is *my only offence against J. R. Graves.* If I had not assumed this relation to you, he never would have imagined that I was an offender. In this remark I speak advisedly. This fact, however, certainly gives me a just claim to your protection. The fair standing, and usefulness of a pastor, are certainly the property of the church of which he is the servant. Any attempt, therefore, by whomsoever made, privately or publicly, to embroil the pastor with his brethren, or to curtail or lessen his influence, or his usefulness, or to draw contempt upon him, and thereby hinder the spread of the gospel, and retard the progress of the Redeemer's Kingdom, is an offence against God, his church, and his people. Your pastor, when Mr. Graves had committed these, and many other like sins, did not consider them a "private quarrel." He, therefore, did not treat them as such. He did not go to him privately, nor did he charge Mr. Graves before you. To you, to the church collectively, the whole case belonged, and *four of your own number* preferred the charge. Suppose *I had* gone to Mr. Graves *privately*, and he had confessed *to me* his fault, and asked *my* forgiveness. As to me *personally*, provided he had made his retraction as public as had been his assaults, that might have been satisfactory. But would that have atoned for his offences against the church as such; for his offences against many others of its members; for his offences against brethren throughout the country; for his offences against truth, and honor, and religion? Surely not.

To another consideration I will call brother Davidson's attention. He knows, I presume, that upon *even a strictly private offence, the church is obliged to act, should it come to its knowledge*, and this too, irrespective of *the manner* in which that knowledge was obtained. So teaches Mr. Graves' own authority, Rev. Dr. J. S. Baker, He says, Periodical Library, Vol. 1, No. 4, p. 262, et seq. 1847:

"The opinion prevails [in some quar-

ters] that a violation of the rule [in Matt. 18] by the aggrieved, in bringing an offender before the church before he has pursued the prescribed course, relieves the church from the obligation [otherwise existing] to deal with the individual thus arraigned before them, [that in such a case, she must remand the charge for informality, and refuse to hear it.] Were the effects of personal difficulties," continues Dr. Baker, "confined to the parties more immediately implicated, such an opinion might be maintained with some degree of plausibility; but it should be remembered that every offence committed by one individual against another, is an offence committed against the whole body, and against the cause for the furtherance of which that body was incorporated. While, therefore, the irregularity in the course pursued by the person aggrieved, might subject him to censure," "should the church [because of this irregularity] neglect [or refuse] to act upon the case, it is certain that such neglect [or refusal] could not fail to afford just cause of complaint to others." How then, if this be a just view of the law in the case, could this church have refused to entertain this charge against Mr. Graves; how could she have remanded it, even had it been private as Mr. Graves claims, and as brother Davidson supposed it to have been, without a direct violation of the word of God? You were *obliged*, Mr. Graves' own witness being judge, *to entertain the charge*, and to *refuse to remand it.*

But this is not all that Dr. Baker says on the subject. He further remarks, and fully to my purpose: "A church is bound to *take cognizance* of every manifest violation by its members, of any of the laws of Christ's kingdom, with which it becomes *acquainted*, whether the *information of such violation* is communicated in *a regular order or not.*" "The church is required to set her seal of disapprobation upon every transgression of the law of God. Her obligation to do this, is not made to depend in the slightest degree, upon the means by which she arrives at the knowledge of the transgression; for the character of the offence is not affected in the least, by the manner in which it is made known." "So long as *she is ignorant* of the offences committed by her members, she is not *chargeable* with them; but the moment she is made acquainted with them, if she fails to adopt measures for calling the offenders to account, and for preventing the occurrence of like offences in the future, she *virtually sanctions those offences*, bids the offenders God speed, becomes a partaker of their evil deeds, and renders herself amenable both to God and men. See Psalms 50: 18, 1 Tim. 5:22, 2 John 11."

This church, therefore, pursued the true scriptural course, even had the offences been private, as I said. The knowledge of them had now reached her, and she was obliged either to act, or to sanction Mr. Graves' crimes, and become a partaker of his evil deeds. And since his offences were *not private*, but, as Mr. Pendleton, his coeditor and blind partisan, declared a few days since, on the floor of the General Association at Lebanon, they were "*all public*," how much more imperatively was the church called upon to entertain the charge, and proceed with the trial. It did this, and you followed the law strictly. The correctness of our proceedings in these respects, *never can*, with the facts before them, be questioned by any; they *never will* be questioned, by any intelligent Baptist, well read in Ecclesiastical Polity.

We now turn to another consideration. Brother Davidson refers in what he has just said, to my correspondence with Mr. Graves, and tells you that he is "*Not prepared to give it his sanction.*" He has also seen Mr. Graves' correspondence with Doctors Jeter, Campbell, Crawford, Baker, and Buck. Is he "prepared to give *that* his sanction?" By questions artfully propounded, suppressing truth, and suggesting falsehood, he drew from them answers to sustain himself. In common life a man who obtains property "by *false pretences*," commits *a felony*, which sends him to the penitentiary. The *answers* in question, of these distinguished brethren, were certainly "obtained," and used, "*under false pretences.*" This, then, is a *moral felony.* If a legal felony sends its perpetrator to the penitentiary, does not a moral felony unfit J. R. Graves for membership in this church? Is a moral felony less criminal than a legal felony? Can a man be tolerated in the church, while boldly committing crimes for which, in society, he would be consigned

to the cells of a dungeon? Mr. Graves' object was not only to degrade me *generally*, by publishing their letters, but *especially* in the estimation of these distinguished brethren. What shall I say to all this. Had it been *my property* of which he was seeking to deprive me, he would have gone to the State prison for this crime, as the law prescribes. It was, however, *my character*, infinitely more valuable than property ever can be. Is there no *penalty for him who destroys your character?* Is this no felony? And this is the man who denounces this church as a disorderly faction, for presuming to arraign and try him, for such offenses, and who sets up himself, and his score of parasites, as the only *pure*, and *orthodox First Church* in Nashville. Has an instance ever before occurred of such united guilt and presumption? Again I ask, does brother Davidson approve that correspondence?

He is not prepared to give his sanction to the notes I wrote to Mr. Graves. *All* that correspondence is before you. Pardon me, Mr. Graves' *alleged* missive of the 5th of April last, is, whether properly or improperly, *omitted*. Mr. Graves has, indeed, *published it in his paper*, but it is not *recorded in the proceedings of this trial*. He says that the letter he published, was *that which I sent back unopened*, and that in it he asked of me a private interview. I will not say that this letter, published four months after it is said to have been written and commented upon so voluminously, is *not* the letter really sent. In a former part of this trial, I tacitly admitted that it might have been. I must, however, now say that I *did not then*, and that I *do not now* believe it. No *proof exists* that this note published, I think, in September, was the same with that written to me in April, except *Mr. Graves' assertion*, and what reliance can we place, upon *the truth* of a man convicted as he now is before you, of uttering so many *known and deliberate falsehoods?* I have strong reasons, indeed, to believe that it is *not the same*, since the published letter is comparatively brief, and the envelope sent to me was large, full, and its contents evidently voluminous. If this *is not the note* sent me, it must be one *afterwards concocted* by J. R. Graves, to suit his purposes, and foisted upon the public as that which I declined to receive. Is not this very much like Mr. Graves, who writes anonymous notes to himself, that signed Probus, for example, lauding J. R. Graves, and defaming other men? Another consideration. If he wanted a private interview with me, in compliance with the injunction of Christ, in Matt. 18, why did he not come to me in *person?* I was his pastor. I should have received him as his pastor. He was not afraid that I, who have done him so many favors, would not now speak with him. Mr. Pendleton says that J. R. Graves is afraid of no living man. He was then, not afraid of me. Why does he pretend that he *wrote me a letter*, when he was within a few squares of me, *asking a private interview?* The truth of all this is, to say the least, very questionable. I will give as my apology for not introducing this note, the fact that in this trial, I *have presented*—I will present before the church no letter whose *authenticity* is questionable. These, brethren, are the reasons why, in this trial, that *alleged* letter has not been laid before you. That they are satisfactory to you, and will be to others, I do not doubt.

Still further. If during a revival of religion, the public participation of a member of the church, whether lay or ministerial, in the exercises, would prove prejudicial to the meeting, would it not be the duty of the pastor, *privately*, to request him to abstain from such public participation, and especially in his absence? So I thought, honestly and sincerely. Hence *my private note* to Mr. Graves on the 3d of April last. Of that *private note* much has been said. I will repeat here, that to subserve his purposes of schism and division, he exhibited it the next day, April 4th, *publicly*, at church, to as many as possible of the brethren and congregation. He, all this while saying not one word to me about it, sent it trumpet tongued throughout the land, and then with falsifications as to its origin, character, and purposes, he published it in his newspaper. As to the correspondence which commenced the 19th of July, and terminated with so much excitement, on the 19th of August, that has already been sufficiently explained. It was the whole of it, from first to last, collateral and incidental, and did not, and could not change the

character of J. R. Graves' public offences, long continued, and flagrant, into "a personal quarrel [with me] that ought to have been settled privately," or that possibly could have been settled privately.

But brother Davidson states an *especial reason* why this correspondence did not receive his approbation. It demanded that J. R. Graves should retrace and disavow his false and injurious imputations against me, and that he should do this in the same manner, and as publicly as he had made them. He says: "For a man to take back what he has said, is not always the best mode of settling difficulties among christians, and therefore, he thought the demand should not have been made."

If a man, I answer, be he a christian or not, shall *publish* an article in a newspaper, in which he charges you with hypocrisy, dishonesty or falsehood, is it enough that he come to you, and make a *private* apology, *refusing* mean time, to *withdraw publicly* these foul imputations? Could he in *that way*, ever do you justice? Could you possibly think such a man honorable, or even sincere? Would men in honorable, social, or political life, require less? Have not christians as much honor as other men? Why does brother Davidson think that "this is not always the best mode of settling difficulties among christians?" The Savior requires that if one man has *injured* another, that the offender shall not only *repent* of the wrong, but that he shall also make ample *reparation* for the injury. Suppose that injury is inflicted by *public defamation* in a newspaper? Is a *private apology* sufficient? Does this amount to the reparation demanded by the Savior, of every christian? Paul's opinion on this subject differed widely from that of brother Davidson. He and Silas, his companion, were, by the public authorities of Philippi, unjustly apprehended, abused, and cast into prison. The next morning they had thought better of the subject, and as Luke tells us, "The Magistrates sent the sergeants saying, let these men go. And the keeper of the prison told this saying to Paul." "But Paul said," "They have beaten us *openly*, uncondemned, being Romans, and have cast us into prison, and now do they thrust us out *privily?* Nay verily. But let them come *themselves*, and fetch us out." And the Magistrates did come, "and brough them, out." Brother Davidson does not, I presume, censure Paul for this high and honorable conduct. Why, then, when I pursue a like course, is he "not prepared to extend his approval? If Paul's conduct was christian, mine certainly was also christian. I respectfully submit, whether a close observance of christian conduct is not always the best mode of settling difficulties among christians?" I honestly believe that it is, and I do not think that brother Davidson will now dissent from my opinion.

But brother Davidson has still other reasons for withholding his approbation to that correspondence. He tells you that: "To make a statement, and then take it back, carries with it a species of degradation."

Doubtless J. R. Graves thinks so. He, therefore, told you the other night, on this platform, in his peculiarly classic style, that *he could not*, or *would not swallow his paper*." He has said in that sheet that the members of *this church* are a company of graceless persecutors, without honor, honesty, or truth. He take *that* back! No sir. He cannot do it. Possibly he *might* make a *private* apology, not to be spoken of beyond that small circle. But to take it back *publicly* as he made it; no, sir; this "carries with it a species of degradation!" And are these my brother's conceptions of honor and religion? I cannot think so. In his praiseworthy anxiety to save us from the pain and trouble of amputating this gangrenous member, which, if retained, would certianly destroy our ecclesiastical life, his thoughts have for the moment become confused. He has, I must believe, now better conceptions on this important subject. Why should we "cry peace, peace, when there is no peace?" Solomon truly said, "There is a time for peace, and a time for war." And never did that wise man speak more wisely. The church has sought peacefor years, and its pacific spirit, and measures, have only encouraged his beligerancy. No alternative is left. It must consent either to confront the accuser, and stand upon its defence; or must tamely surrender the cause of Christ, and submit to receive at his hands a dishonorable and unchristian destruction.

The church could have avoided all this agitation, and strife, so much deprecated by brother Davidson, and by many others, and the end of which he thinks none of us will live to see! But upon what terms? Had we, as this church has too long done, bowed our necks to the yoke of Mr. Graves; had we preferred his interests to the interests of Christ; had we borne without complaining, his abuse, falsehoods, and defamations; had we endorsed all his immoral and unchristian conduct; had we obeyed all his behests, and flattered, and eulogized him, as judging from the columns of his paper, so many of his blind sycophants are wont to do; we should have had no trouble. We should have been lauded by him as the very paragons of wisdom and piety; and while we continued to do so, our popularity, so far as his paper was concerned, would have been unbounded. But to have obtained this elevation, which, after all, would have been the popularity of mere slaves, what must have been our sacrifices? We must have abandoned Christ, and religion, and honor, and truth, and self-respect. God's frown would have rested upon us, as the pall that covers the coffin of the dead. We should no longer have deserved the regard of our brethren. A mountain of shame would have overwhelmed us. And are we prepared for all this? J. R. Graves exacted no less. He believed himself able to force our submission. I have reasons for this opinion, to some of which I will refer. When it was first intimated that his iniquities, would probably not much longer be endured, and the church would perhaps feel itself obliged to call him to account, we were, as we have before seen, publicly, and through his columns, dared to do so, and threatened, should we attempt such a thing, with the most fearful consequences. I speak advisedly, and what some of us know from our own personal observation to be true, when I say that papers were prepared in this city, and sent out to churches and associations, and others were procured from associates at a distance, in a half a dozen States, and as soon as it was announced, which Mr. Graves hastened to do, that he was charged befor the church, these papers came back, endorsed by the bodies to whom they had been sent for the purpose, and were published by scores in the Tennessee Baptist, seconded by inflammatory editorials. They all denounced us as a set of persecutors, unscrupulously seeking to put down Graves because we envied his greatness and popularity; and our *proceedings* were denounced as unscriptural, cruel, and iniquitous; and this, too, *before his trial commenced*, before *any proceedings*, had been *instituted*, except the bare charge, and before these churches and associations had any competent knowledge whatever on the subject, except that the charge in question for "immoral and unchristian conduct," was preferred against him before the church. They did not even know who had preferred this charge. They had been told by the Tennessee Baptist, that I did it, and that the most atrocious thing charged was that Mr Graves had inserted my name in his Register for this year, without the appended Doctor of Divinity.

As a specimen of many of them, I will read one from an Association in another State. Its style, you will perceive, is precisely that of the senior editor of the Tennessee Baptist. It is as follows, dated October 12th:

"*Resolved*, That we regard the charges preferred in the First Baptist Church in Nashville, as reported in the Tennessee Baptist of September 11th, 1858, against Elder J. R. Graves, as the last expiring throes of envy, malice, and the darker passons of the human heart (which is desperately wicked) and chagrin, deep mortification, and bitter disappointment of the parties engaged in this unholy and wicked attempt to alienate him (Graves) from the affections of his brethren."

We had the alternative to submit to Mr. Graves, and have peace, or follow Christ and his word, and breast thisstorm. The church chose Christ, and the storm. I honor it, and our brethren every where will honor it for this decision.

Brother Davidson further tells us that this process of requiring a man to take back his statements, is dangerous. He says that among men of the world, "Such a demand, if refused, is commonly followed by a duel."

We have not inquired, brethren, whether what we have demanded is dangerous or

not. We only ask whether it is scriptural and right. We are, I hope, not "men of the world." Mr. Graves, therefore, fortunately for him, need not fear "a duel," nor bodily harm of any kind, notwithstanding his several attempts in his newspaper, to make people believe that he and his allies are in danger in that respect. He will, I trust, dismiss all his apprehensions on that score. "Among men of the world" the danger indicated may, I grant, exist. For less offenees than those he has committed against some of us, many a man has, upon the ensanguined field, poured out his life-blood. The evil, however, in its origin and turpitude, is certainly with him who publishes the false, and injurious statement. A man should ponder long before he sends forth in the columns of a newspaper *offensive personalities*. He who makes sueh publieations, be he editor or not, must expect to be called to aeeount, and be prepared to meet the eonsequenees, whatever they may be. If, *under wrong impressions*, a man has made sueh publieation, and finds that he has done his antagonist an injury, *if a gentleman*, and mueh more, *if a christian*, he will require no prompting, but hasten of his own aeeord to "*take it back.*" He will do so promptly, cheerfully, fully. To a true man, it never oecurs that in the withdrawal of sueh publications, there ean possibly be any "speeies of degradation" whatever. Have I in any way injured any one, and espeeially my brother? No power on earth shall provent me from making, as soon as I have diseovered it, a suitable eonfession of my error, and full reparation for the injury inflieted. Is that injury publie? I will make a publie eonfession and reparation. My own honor demands it. My religion demands it. He who thinks otherwise, has, in my judgment, fallen into a most serious error. It is only the upstart, the unprincipled, and the bully, who can act upon other grounds than those I have now indieated. Of such, with glorious old Jaeob, I ean truly say:

"O my soul, come not thou into their secret;
To their assembly mine honor, be not thou united."

Of eourse, these considerations are applied to the ease before us. J. R. Graves assails, defames, and seeks perseveringly to degrade me in the estimation of my brethren. He has the proof that his statements are all without foundation in truth, and that they are injurious in the highest degree. I eall upon him to retraet and disavow them. My request only inereases his wrath and the vindietiveness of his assaults. My friends eall upon him. The only effeet is to turn his blows upon them also. He refuses every offer, and will withdraw nothing. His answer is "*I cannot swallow my paper.*" His paper! If it had been swallowed up in the depths of the sea five years ago, its destruetion would have been a blessing to our whole country. No sueh withering evil as the Tennessee Baptist has within my knowledge, ever before visited the Baptist ehurches, and people of the South. It has inflamed their passions, engendered distrust, put them in fieree eonfliet with eaeh other, substituted sectarian raneor for the love of Christ, and wherever it has influenee, well nigh driven all spirituality from the heart.

Brother Davidson, without, however, admitting all this, kindly reminds us that "It is *God-like to forgive.*" I grant it. But let it be remembered that *God* does not forgive *impenitent* and *persistent offenders*. He forgives those, and those only, who *repent* and *forsake* their sins. If we do the same, it will still be God-like. As to myself, I ean truly say that personally I eherish no enmity towards J. R. Graves. I have no disagreements with him that I am not ready at any moment to reeoneile, should I find in him a eorresponding disposition. But I again remark that all this is a side issue, and does not enter into the merits of the question before us. I refer to them only beeause they are anew brought up by brother Davidson.

Brother Davidson is, however, *impressed with Mr. Graves' protest*, and eannot, it seems, divest his mind of the eonvietion *that some sort of private action ought to have taken place before this case was brought before the church*. His feelings on this subjeet deserve respect, and I shall treat them respectfully. Possibly they may be shared by others, if not here, at least probably elsewhere. To satisfy him, and them, if any entertain this opinion, I will again refer to Mr. Graves' own authority, Rev. Dr. J. S. Baker. Periodieal Library, Vol. 1, 1847, No. 4, p. 262—273. Dr. Baker says:

"The rule in Matt. 18, 15—17, is limited to cases of *personal differences*, and cannot, therefore, be extended to cases of *public offences*, [such as those of Mr. Graves,] without sanctioning a *principle most manifestly erroneous* and highly *pernicious* in its tendency." "There is neither precept nor example in the word of God, to justify the belief that it is our duty, ordinarily, to admonish a *public offender* [Mr. Graves for example,] *privately*, before he is called to an account publicly for his conduct."

To satisfy the reader of the correctness of this assertion, we would direct his attention to the numerous injunctions given in the sacred writings in reference to public offences. The following are some of the many to which we refer:

Romans, xvi, 17—"Now I beseech you, brethren, mark them which cause divisions and offences, contrary to the doctrine which ye have learned; and avoid them."

1 Cor., v, 4, 5—"In the name of our Lord Jesus Christ, when ye are gathered together, and my spirit, with the power of our Lord Jesus Christ, to deliver such a one unto Satan for the destruction of the flesh, that the spirit may be saved in the day of the Lord Jesus."

Verse 11—"But now I have written unto you not to keep company, if any man that is called a brother, be a fornicator, or covetous, or an idolator, or a railer, or a drunkard, or an extortioner; with such a one, no, not to eat."

Verse 23—"Therefore put away from among yourselves that wicked person."

2 Thess. iii, 6—"Now we command you, brethren, in the name of our Lord Jesus Christ, that ye withdraw yourselves from every brother that walketh disorderly, and not after the tradition which he received of us."

Verse 14—"And if any man obey not our word by this epistle, note that man, and have no company with him, that he may be ashamed."

1 Tim., v, 20—"Then that sin, rebuke before all, that others also may fear." See also Prov. xx., 10—Gal. i, 7, 9,—2 John, v., 1, 10, &c.

"On these passages of Scripture, we have but two remarks to offer. 1st. They are addressed, with but one exception, to the people of God, or the Church; and, in the passage excepted, the Apostle gives to the highest officer in the church a rule, which is evidently designed not so much for the regulation of his own conduct, as for the government of the church over which he presides. This is apparent from the instructions which precede it, relative to widows, unmarried women, elders, &c. 2d. In these passages there is *not the most distant allusion to any preliminary steps, required to be taken*, as in the case of personal differences,—no direction to go to the offender, and "tell him his fault between thee and him alone," and "if he will not hear thee, take with thee one or two more," &c. As it respects the examples of Christ and his Apostles, they are adverse to the opinion which we are combating. Christ publicly charged the Scribes and Pharisees, and even his own disciples, with their derelictions of duty. But as some may question the propriety of making the acts of an Omniscient and sinless Savior a precedent for short sighted and erring mortals, in matters of this kind, we will refer to the acts of his disciples, after the administration of the affairs of the church was delivered up into their hands.

At an early period, while yet the disciples held their possessions in common, Ananias and Sapphira were guilty of a novel species of fraud, and of a barefaced falsehood. Peter received intelligence of the fact. It is not stated whether he received it by a direct communication from the searcher of hearts, or through individuals who were acquainted with the circumstances of the case, for it was a matter of no consequence to us to know by what means he obtained his information. But as it was of importance that we should be acquainted with the course of conduct which, under such circumstances, Infinite Wisdom would approve, the particulars of the proceedings in the case are given in full. Ananias and Sapphira appeared successively before the Apostles and those who were assembled with them. *Peter did not take them aside and expostulate with them on the evil nature of their sin*, and urge them to an acknowledgment of their guilt, and a profession of penitence, but interrogated them, respectively, relative to the transaction in which they had offended, and publicly charged them with the guilt of lying unto

the Holy Ghost. God set the seal of his approbation upon the course pursued by Peter, by visiting them with a most awful and speedy judgment.

It should be borne in remembrance, that the infliction of the punishment, in this case was not the act of the apostle, but the immediate act of God. See Acts v., 1, 11.

On a subsequent occasion, Peter himself, it appears, was guilty of pursuing a course, which did not well comport with his christian vocation. For this the Apostle Paul passed his censures upon him, not in a *private interview*, but in the presence of an assembly of the disciples—"*before them all.*"—Gal. ii., 11, 14. Moreover, the proceedings in this case were recorded, sent abroad, and read to the churches. While empires have risen and fallen, that record has been preserved by the kind Providence of God, and is still read to the churches for their edification. We do not learn that Peter, after the manner of some *offenders* of our day *objected to the course pursued by Paul in order to screen himself from censure.* Nor does it appear that he manifested at the time, or subsequently, any hostile feelings towards him who had thus publicly accused him of conduct inconsistent with his christian character. So far from this, when he had occasion to mention Paul in one of his epistles, he speaks of him as "*our beloved brother Paul.*"—2 Peter, iii, 15.

Enough has been said, we conceive, to evince that the precepts of the gospel and the examples of the apostles, so far from teaching that it is our *duty invariably to admonish a public offender privately, before we arraign him publicly, sanction a course of conduct directly the opposite of this.*

But we have heard it objected, that the apostles acted under the immediate and special influences of the Holy Spirit, and therefore, their examples are not safe precedents for us. In reply to this objection, we have several things to say: 1st. An offender will seldom want for a plausible objection to every rule of discipline which is applicable to his case, even though such be expressly given in Scripture. 2d. If we admit what is objected to the examples of the Apostles, it will by no means follow, that an opposite course of conduct to theirs would be correct. 3d. If the simple fact that the Apostles acted under extraordinary influences of the Spirit, renders it improper to follow their example in one instance, in which it is possible to imitate them, we see not why it should not render it equally improper to follow them in any other of their public acts. 4th. We cannot believe that the Holy Spirit would dictate a course which was repugnant to the principles of moral rectitude or natural equity. As these principles are as eternal and unchangeable in their nature as the being of God, we cannot conceive that what was morally right in the days of Peter and Paul can be morally wrong now. 5th. The examples of the apostles and primitive disciples, we are expressly taught in Scripture to follow. (See 1 Cor. iii, 1—Phil. iii, 17—1 Thess. i, 7—2 Thess. iii, 9, &c.) This, of itself, should be sufficient to obviate every objection.

As we have answered an objection to the views which we entertain, we will now proceed to state an objection or two to the rule of those who differ from us in opinion.

1st. Their rule must necessarily prove invalid. It can bind no one; for what is every man's duty is evidently the duty of no one in particular. When an individual is guilty of a public offence, the knowledge of his guilt becomes, as it were, public property, and every member of the church suffers equally from his defection. The duty to go to him, therefore, cannot devolve upon any one in particular. Moreover, if you require the public offender to be admonished privately, before his conduct is submitted to the church for investigation, you do virtually extend over him the ægis of your protection, and insure impunity in sin to the grossest offenders. The greater the offence, too, the greater would be the security of the offender: for who would ever report to the church the case of the confirmed drunkard, the notorious gambler, or the abandoned woman, if he were required first to admonish such in private.

2d. We further object to the rule in question, that if it be observed, it cannot secure the ends which we should have in view. The rule is based upon *the mistaken notion* [entertained as we have seen by Mr. Graves] *that the reformation of the individual is the principle thing that renders action necessary.* But interests have been affected

infinitely superior to the *individual interests of the offender*. His misconduct has brought reproach upon the cause of Christ, and served to fortify the ungodly in their unbelief, and confirm them in all their hard speeches and ungodly deeds. He has fixed a stain upon the christian name, which all his tears of penitence can never wash away; and he has rolled a stone against the sinner's heart which no subsequent exertion of his power can ever remove. If there is not an action of the church on his case, her neglect will fix, indelibly, a stain on her own character. So long as she holds in fellowship the offender, she must and will be considered as holding fellowship with his deeds of darkness. *The prominent objects* which should be kept in view in dealing with public offenders, should be *the preserving untarnished the honor of the cause of Christ, and the good name of the church.* But these objects could not be advanced by requiring the offender *to be admonished privately, before he is brought to the bar of the church.* Should he repent and make acknowledgments *in private*, this could not supersede the necessity of *an action of the church;* as nothing but an action of the church could evince *to the world*, that she had no fellowship for his unchristian acts. The argument *cui bono*, must be allowed, therefore, to have its full force here."

Thus is it clearly seen that there is no authority in Scripture for requiring *public* offenders, such as Mr. Graves, to be admonished *privately*, before their cases are submitted to the action of the church; and that both scripture and reason forbid the incorporation of any such rule into the government of the church. Therefore, the proceedings of this church up to this hour, have been scriptural, regular and proper. These conclusions, it seems to me, no well instructed Baptist can call in question.

I regret also, to hear some other declarations of the Tennessee Baptist; reiterated by brother Davidson. He thinks that *the specifications are trivial!*

I am sure he has not considered them, or if he has, that he is infected with the strange notion which apparently obtains so widely in this quarter, that acts and publications which, by any one else, would be denounced as insufferable, are, when perpetrated by an editor, the merest trifle! Are editors, and especially professedly religious editors, not amenable to the laws of truth and honor that govern other men? The same rule must govern us all. This, all must admit. Is it, I ask, a trivial offence to foment discord among brethren? Is it a trivial offence to divide the church, and set its parts at war with each other? Is it a trivial offence for a man to utter and publish against his pastor, numerous foul and atrocious libels? Is it a trivial offence for a man to slander and defame his brethren throughout the country? Is it a trivial offence for a man, with malicious intent, to utter and publish numerous known and deliberate falsehoods? Of all these this church has, after careful and prayerful deliberation, and upon ample and unquestionable testimony, pronounced Mr. Graves guilty.

David, it seems, had enemies like ours, of whom he speaks thus: "Lo, they lie in wait for my soul. The mighty are gathered against me. Not for my transgressions, nor for my sins." "They run and prepare themselves without my fault." "Behold, they belch out with their mouth. Swords are in their lips." And against them, he thus uttered his prayer: "For the sin of their mouth, and the words of their lips, let them even be taken in their pride; and for cursing, and lying which they speak." These are precisely Mr. Graves' offences, and David, inspired by the Spirit, spoke of them as crimes of the deepest dye. Are they trivial in Mr. Graves? If these are trivial, then no crimes can ever be important. Such a thing as "grossly immoral and unchristian conduct" cannot exist! An editor cannot sin! But brother Davidson now begins to see more clearly than he has seen heretofore. This phenomenon is readily accounted for. At first, and up to the night when he completed his schism, he sympathized, he tells you, with Mr. Graves. His eyes were then opened. Graves went too far. He could not follow him. He sympathizes with him no longer, and yet he has not been able to escape from quite all the erroneous notions that he had so firmly embedded in his mind. Brother Davidson is now with the church. So are a half a dozen other brethren, as I happen to know, of the forty-one, claimed by the schismatics.

Their example, in this respect, will, I trust, be followed by all the remainder who really love our Lord Jesus Christ.

Regret has been in various quarters expressed, that *an able and impartial council* was not called to assist the church in this important trial.

The original design was to call such a council, but it will be remembered that *Mr. Graves' special friends earnestly opposed giving any such direction to the case.* Mr. Marks, the brother-in-law of Graves, assured us that *Graves intended to contest the case* before the church; and Mr. Rutland, Mr. Creighton, and Mr. Dayton made speeches to show that for committees, and all similar appliances, there is no scripture authority whatever. All those who are now the Graves faction, and who have published that they are about now to call a council of their own, to try Mr. Graves, then insisted that councils, committees, and all like forms, are wholly opposed to scriptural polity, and that every case *must be tried by the church*, and by the church alone. Disposed to extend lenity as far as possible, and to comply if possible with their wishes, the brethren acceded to their desires, and the case was brought at once before the church. All this is well known to the church. If the church *has erred* in trying J. R. Graves *without the assistance of a council*, it is because he, and his partisans, demanded that it should do so, and it kindly consented to defer to their requirements.

In regard to councils abstractly considered, pardon a few words.

Some one has recently said, and entirely to my purpose, that, "As helps in the disposition of complicated and difficult questions, they may be made very useful; while at the same time it is evidently quite possible for them to usurp authority, or otherwise abuse their privilege, so as to become a mischief rather than a help." "One thing must be regarded as a settled truth, from which no considerations whatever shall tempt us to depart. This is that all questions of discipline, and management, in the affairs of any church, are for the church, *and the church alone* to determine. The only modification of this that can be admitted, is that sometimes churches may consent between themselves, or parties within the same church, to refer some matter of disagreement to a council, just in the same way as individuals sometimes submit their differences to an arbitration. It is in this case understood that the churches respectively, in consenting to such a reference, agree to abide the award. This, however, is, or ought to be, an exceptional case, and should occur only in those instances where every other expedient fails. It must be kept in mind besides, that the council while acting in this capacity, *has no original right of decision.* All its powers it derives from the fact of the churches, calling it, and is no more a *tribunal* than is any other board of arbitrators whatever. It is the more necessary to guard this point, as it is so easy for the actual truth here to be lost sight of, and councils come to be regarded [as Associations already are, in this part of the country] as a sort of *tribunal outside of the churches*, [and above them,] *possessed of original jurisdiction.*"

The scriptures know nothing of any such bodies. The only organizations recognized in the divine word, are churches. Each church is an independent body, acknowledging no sovereign but Christ, the head of all the churches. Through the connection of all the churches with Christ, the common head and sovereign, a bond of union arises which connects them with each other. Each is as independent of the other, as if no other existed. Their union with each other is indirect, and dependant upon their union with Christ; nor evidently, does it admit of any legislation whatever. Even the churches themselves, individually, have no *original* sovereignty. All the power they possess, is given them by Christ, their head. All the authority therefore, possessed by each church, is a delegated authority. It extends only to its own members. It is a characteristic of delegated authority, that it cannot be redelegated by the party receiving it. Each church has received from Christ, sovereign power for its own government. That sovereignty is therefore inalienable. No church, nor combination of churches, can confer it upon another. Therefore, no church has the power to convey to another body an authority equal to its own. Christ has given it no right to do so. It is absurd to suppose that it can do so. A church is

a representation of Christ. No representative can create another representative. This belongs to the original appointing power. Certain powers are granted by Christ to the churches individually, to be exercised by themselves. Do they undertake to create a second organization, with powers equal to their own? This is plainly an assumption of original sovereignty. It is an infraction of the sovereignty of Christ. No church therefore can confer on an association, or a council, or any other such body, a right to govern it, or to interfere with or revise its proceedings. No combination of churches can do this. Associations, councils, and other similar bodies, are consequently necessarily inferior to the churches. The churches cannot make them their equal. When they essay to do so they usurp the authority of Christ; and when these bodies attempt to exercise judicial legislative, or other governmental authority, they also usurp the power of Christ. Both sin against God, and necessarily bring upon themselves misery, shame, and suffering. It is plain therefore that a council can have no original jurisdiction, nor can it decide for a church, even should that church earnestly desire it, any matter of discipline whatever. The church must itself speak, or no authoritative decision is ever pronounced. And when an individual church does speak, her sentence is final. From that sentence there is no appeal.

If we look into the past we shall be admonished to carefulness on this subject. "Every reader of history knows during how many ages *the Popes* and *General Councils* contended with each other for the supreme ecclesiastical authority. It seemed to have been *conceded* that the churches must acknowledge *a master*, and the simple question was *which of these two* should be the master. These councils lorded it over the consciences of men. It was the council of Constance that condemned John Huss to the stake. And all this outrageous usurpation *arose* out of an *original use of councils*, such as that which Baptists now practice. We do not mean to say that we are in danger of a renewal very soon *of this extreme form* of ecclesiastical despotism; but to show that the natural tendency is, unless proper guards are thrown around them, to lodge with councils a power which not only does not belong to them, but which is also *dangerous to purity of discipline, and to the freedom of our churches.* We would have the churches properly value that high prerogative which they received from the Master, when he said: "Whatsoever ye shall bind on earth shall be bound in heaven; and whatsoever ye shall loose on earth, shall be loosed in heaven." So long as they act with his authority, and in strict conformity to his law, the churches have a right to expect that what they do in this capacity, will thus be sanctioned, and confirmed by him."

I admit that councils, as sometimes used among us, may be very useful, but I cannot help feeling that there is too much readiness to resort to them, and that there is a growing tendency to disrespect the action of churches, in important cases of discipline, which are decided without their assistance. Will they not soon come to be considered as essential to church government? Are we not verging towards a Presbyterian polity, and disposed to give, contrary to scripture, a right to councils and associations, to revise our proceedings, and even, if they see proper, to reverse them? Power is apt to steal insensibly from the many to the few, and how long will it be ere the churches will have given up their sovereignty, have lost their independence, and we be found in the same race towards ecclesiastical despotism, with other great and popular denominations. At present this danger threatens to come, and quite naturally, from that very quarter in our ranks, which is the most vociferous in its denunciation of the power, and tyranny, alleged to be exercised in the government of other denominations. With these men, power, it would seem, is only deprecated when it is against them, and church sovereignty only maintained when it can be made to subserve their purpose. Power in their own hands, legal or illegal, is exercised and defended to the last extremity.

Against all ex parte councils I must here raise unequivocally my warning voice. When both parties in a contest can agree upon a council as a board of referees, advisory simply, good results may arise. The church meditated such a council in the commencement of this trial. Mr.

Graves' party refused it. You would not have an ex parte council; therefore, you could have no council at all. Mr. Graves now calls a council ex parte. He would not admit of a disinterested council. What is now the object of his council ex parte? What can it be but to whitewash him and his schism, by their pretended endorsement; which, if it assembles, it will do undoubtedly. Ominous voices have come to us lately, on this subject, from Kentucky, New York, and other quarters. Ex parte councils can never command my respect. Seldom do they ever meet, that they do not perpetrate irreparable mischief. To avoid them our churches must appreciate their own high prerogative, "It must be their study to make the provisions within themselves answer all the purposes of ecclesiastical discipline, and the established relations between churches, must suffice to keep them in harmony with each other. The *law of Christ*, and *the spirit of Christ*, are the two grand provisions made. If we have these fully, the occasions for councils and for all exterior helps to good discipline and mutual peace, will pass away forever."

Brother Davidson regrets, as he tells us, the action of the church, because Mr. Graves has many friends, and that *they will treat your decision with contempt.*

That Mr. Graves has many friends, who sustain him for peculiar reasons, and that they will *for the present at least*, treat your decision with contempt, there can be no doubt. They have already treated you with contempt before you have reached any decision. You can, however, having the approval of Christ, afford to bear their contempt. "If God be for us, who can be against us?" The fear of their contempt, is no good reason why the church should not act, provided her action is scriptural, deliberate, prayerful, just. But *the decree has gone out from this metropolis*, that it shall be so, and we know full well, that *any decision* you might reach *will be "treated with contempt" for a season.* We saw the other day at Lebanon, a specimen of what we are to expect in this quarter, enacted under the name of *the General Association.* In that place a large number of good, but deceived men, were brought together, *drilled for the purpose*, and were induced to outrage the constitution of that body, set at naught the word of God, and trample reason and brotherly love under their feet, in order to *heap indignity upon this church.* That merely *missionary body* constituted itself into *a High Court of Appeals*, sat in judgment upon the decision of this church before it was made, and allowing it no hearing in the case, pronounced authoritatively, its condemnation. Thus a mere missionary organization conducts itself towards a sovereign church, in no way amenable to it. Such a scene of passion, violence, and injustice, as was there enacted, I never before beheld, I hope never again to witness. It has never been equalled by any party political gathering of which I have any knowledge. I there heard myself, and this church, denounced as no Baptists at all, a set of factionists, and unworthy to be recognized as christians.

But truth cannot always be suppressed. Men cannot always remain furiously mad. The "sober second thought" must come. Then if our brethren are indeed christians; if the love of God, and of their brethren, is in their hearts, they must, they will hear the voice of reason and religion. When all the facts are before them, then they will see, and confess, that this church has been guided strictly, throughout this whole trial, by "the *law* of Christ, and the *spirit* of Christ." Then their present "contempt" will be turned into admiration of the firmness of this church, of its patience, and the unshrinking purpose with which it has sought to discharge a painful, and most difficult duty; maintaining undesecrated scriptural discipline, undeterred from calm and deliberate action by the fiery assaults of thousands of adversaries. To the present case peculiar circumstances have elicited the attention of the whole country. The eyes of all our brethren are upon us. Should the church withdraw its fellowship from Mr. Graves, I believe that they will respect its decision; whether they will, however, remains to be seen. If they do, Mr. Graves must either go down finally, or else he must repent of his sins, forsake them, and seek restoration to the church. If they do not respect its decision, what then? Undoubtedly our cherished, and scriptural principles of church sovereignty under Christ is at an end; Baptist Church Government is a failure; and wickedness

in high places, must not only go unrebuked, but be upheld, cherished, and defended, by our own brethren. Which of these results is to arise time will soon show. One or the other is inevitable. This case will test the polity of our churches. It will either destroy, or establish it. Let our brethren, as brother Davidson says they will, "treat your decision with contempt;" let J. R. Graves be received, and countenanced by them, as he was before this trial, and accepted as if uncensured; or if expelled, as still in fellowship as a member, and a minister; and who then, among ourselves, or others, will feel the least respect for Baptist church government? Who will dare to defend its practical efficiency? They will pull down upon their own heads this glorious temple, erected by the Savior, and like another Samson, bury themselves in its ruins. But no, I cannot believe it. Our brethren will, they must respect the decision of a church. But these are not questions that so directly concern us. For what our brethren may do, or not do, elsewhere, we are not responsible. I have not inquired, the church has not inquired, whether its decisions will be approved by many or few, of our brethren, or others, here or elsewhere. Our object is not to please men, but to do the will of God. Is it not still as true as it was in apostolic times, that, "If we yet pleased men, we should not be the servants of Christ"? Are our decisions thus far, scriptural, and just to all parties? Have we reached our conclusions calmly, by impartial investigation, seeking humbly, prayerfully, the divine direction? These are the proper inquiries for us, and not whether what we do will meet human approval. We are not indifferent to the good opinion of our brethren. We ardently desire their love, and approbation. But if we are compelled to choose whether we will please our brethren or please Christ, we cannot hesitate. Our brethren are dear to us, but Christ is infinitely more dear. We will please and honor our brethren if we can. At whatever hazard we will please and honor Christ.

The motion before you is that J. R. Graves, for grossly immoral and unchristian conduct, of which you have found him guilty in five distinct cases, be now expelled from the fellowship of this church. If he be expelled, this act of course cancels his authority to preach, and administer the ordinances of the gospel. His authority as a minister, goes necessarily with his membership. Being no longer a member, he is of course no longer a minister of this, or of any other church. Brother Davidson has not told us whether he thinks Mr. Graves ought to be expelled or not, or whether he shall vote for his excommunication or against it. Whatever may be his opinion of the specifications under the charge regularly before you, I am very confident that he thinks his expulsion demanded by offences committed since. Brother Davidson was present, and heard J. R. Graves denounce us to your face, as a disorderly faction; as incompetent to sit in judgment upon his case; as indeed, no Church of Christ at all; and that he should resort to another tribunal, an ex parte council, with his own followers, to pronounce judgment upon him, and upon us. He saw him take down the names of the forty-one who voted to remand the case, of which Brother Davidson was himself one, and heard him call upon *them* to declare themselves the First Baptist Church, and with which about twenty of them complied, pronouncing themselves the Church, and us no Church at all. This is the party that the General Association received as the First Church in this city, and made Mr. Graves its presiding officer, when it usurped the power to expel us from that body. All this Mr. Graves has said, and done, or procured to be said and done, beyond the things specified in the charge for which he was arraigned before you. Can it be that brother Davidson still thinks that this church can do its duty, and not pronounce the sentence of excommunication upon J. R. Graves? Has this church any fellowship for him? Are not all the ties that bound him to us, of confidence, and love, *already broken?* In all except the formal ecclesiastical act, he is even now excommunicated. In pronouncing the sentence proposed in the pending motion, the church does but publicly declare this previously existing state of the fact, and make them official. The word of God makes our duty imperative. Speaking of such men as J. R. Graves, Christ says: "Let him be unto

thee as a heathen man, and a publican." And Paul says: "Now we command you brethren, in the name of our Lord Jesus Christ, that ye withdraw yourselves from every brother that walketh disorderly, and not after the tradition which he received of us." "Put away from among yourselves that wicked person." The duty is a painful one, but we cannot avoid it. I close with a memorable apostolic admonition: "Stand fast in one spirit, with one mind striving together for the faith of the gospel; and in nothing terrified by your adversaries; which is to them an evident token of perdition, but to you of salvation, and that of God. For unto you it is given in the behalf of Christ, not only to believe on him, but also to suffer for his sake." "Let no man deceive you with vain words, for because of these things cometh the wrath of God upon the children of disobebedience. Be not ye therefore partakers with them. For ye were sometime darkness, but now are ye light in the Lord. Walk as children of light, proving what is acceptable unto the Lord, and [having] no fellowship with the works of darkness."

The Moderator inquired if any other brother desired to offer any remarks; if not, he should proceed to put the question. No one responded.

The Moderator: The question before the Church is, *Shall the Rev. J. R. Graves, upon the charge now before you, be expelled from the fellowship of the Church?* Those who believe that the Rev. J. R. Graves should be now expelled from the fellowship of the Church, will rise.

Upon a count, it was ascertained that seventy-eight were found standing.

The Moderanor: Those who believe that the Rev. J. R. Graves should not be expelled from the fellowship of the Church, will rise.

None rose.

The Moderator: THE REV. J. R. GRAVES IS UNANIMOUSLY EXPELLED FROM THE FELLOWSHIP OF THE FIRST BAPTIST CHURCH IN NASHVILLE.

Dr. Howell wished to make a suggestion. Brethren from all parts of the country were calling for information in regard to this trial. Letters had been received asking why the Church had not been heard, and it was evidently necessary that the proceedings of this trial should be published. He, therefore, moved that the proceedings be certified by the Reporter and the Clerk, and published, that all may see what has been said and done; and that brethren S. M. Scott, W. F. Bang and A. Nelson be appointed a committee to superintend the publication of the same in the Baptist Standard, and that they have a sufficient number of copies printed in pamphlet form to meet any demand that may exist for information in regard to the trial.

The Moderator inquired whether the remonstrance from the Baptist Church at Murfreesboro, and that from Elder J. M. Pendleton, should appear with the proceedings.

Mr. Fuller explained that the matters to which they referred had no immediate connection with this trial.

The motion of Dr. Howell was then concurred in.

Mr. Fuller suggested that as the proceedings of the trial were very volumnious, the editor of the "Baptist Standard" be authorized to publish such portions in his paper as he might deem proper.

Mr. Woolfolk, the Editor of the "Baptist Standard" thought it best that the entire proceedings should be published in the paper, and it was so ordered.

Mr. Fuller said that the response from the Baptist Church at Murfreesboro, as well as that from Elder J. M. Pendleton, which had been received and laid upon the table, ought to be taken up and acted upon. He, therefore, moved that when this meeting shall adjourn, it adjourn to meet Monday night next, for the purpose of considering these responses, and any other matter that may be brought before the meeting.

The motion was concurred in.

Dr. Howell said it had been reported that a number of letters had been received protesting against this trial. He had received none himself, and he desired to inquire of the Clerk whether he had received any such letters from Associations, Churches or individuals.

The Clerk stated that he had received only two such letters, one from an Association and one from a Church.

Mr. Fuller submitted a motion that a committee of three be appointed, whose duty it shall be to prepare a reply to the letters from the Association and Church mentioned by the Clerk, and also to prepare and report business for the action of the meeting on Monday night.

The motion was concurred in, and

The Moderator appointed Messrs. C. A. Fuller, W. P. Jones and A. Nelson said committee.

The meeting then adjourned with prayer by Mr. Woolfolk.

The foregoing is a correct copy of the Report of the proceedings of the trial of Elder J. R. Graves, by the First Baptist Church, of Nashville, as furnished by me.

JNO. MILLER McKEE, Reporter.

As Clerk of the First Baptist Church, I hereby certify to the correctness of the foregoing Report.

S. M. SCOTT.

SYNOPSIS

OF THE

TRIAL OF J. R. GRAVES.

From the Baptist Standard.

THE TRIAL.

In the last number of the Standard, the final proceedings in the trial of J. R. Graves were given. A concise resume of the facts in the case may be expected from us.

Let us first take a brief review of the position of Mr. Graves before the church. On the first night of the trial he protested against the right of the church to try him, on the ground that he was not guilty of public offences, but personal. The indictment brought by brethren before the church charged him with public offences, "grossly immoral and unchristian conduct," and this in five counts, each of which, if true, constitutes a public offence. But Mr. Graves maintains, that though charged with grossly immoral and unchristian conduct, he is guilty of personal offences only, and that consequently, the church had no right to try him. Now, when a church member is charged with immoral conduct, it is evident that the church has a right to try him, even though entirely innocent. Her duty to Christ requires her to investigate the facts, that it may be discovered whether this injury to the cause of religion has been perpetrated: her duty to the accused demands that she investigate the charge, and vindicate him if innocent. The church, in such a case, has a duty similar to that of the courts of our country. When a man is charged before a court as guilty of conduct punishable by our laws, he may assert his innocence; and it is the glory of English laws, that the accused must have a fair trial before he can be pronounced guilty. But it would be an unheard of innovation, if every man charged with crime, could *plead* his INNOCENCE *as a* BAR *to trial.* If this could be established as precedent, no criminal could be convicted: all would plead not guilty, and demand to be turned loose from the bar, "unwhipped of justice," to renew their depredations on society. The accused has a right to demand a trial; he may produce all the testimony he can command; he may meet and rebut the evidence brought against him; but he cannot refuse to be tried. There is one exception only to this rule. Where an offender is charged before one court with an offence which belongs properly to the jurisdiction of another, he may plead to the indictment, and deny the

right of the court to try him for an offence of which it has no jurisdiction. But the case of Mr. Graves does not come under this exception. He was charged with offences of which the church, *jure divino*, has jurisdiction. If he denies the right of the church to take jurisdiction of public offences, he opposes at once the practice and teachings of the New Testament. If he denies that he is charged with public offences, he flies in the face of the indictment, which charges "grossly immoral and unchristian conduct." If he maintains that though charged with public offences, yet his offences are private only, he is at once met by the universal rule of justice, which binds a man pleading not guilty, to go into trial, that his innocence may be established, by rebutting the charge brought against him. This it was the duty of Mr. Graves to have done. Why he did not, we cannot conceive. He evidently had not taken the bearings of his position, or he would have been able, since, to defend it with greater ability. He would have been able to bring forward at least *some* argument to sustain it; and his inability to adduce a single one in the columns of his paper, is proof that he mis-calculated the strength of his position. If he had gone into trial, made a defence, and, if excluded, had he then obtained admission into another church, his position would not have been entirely defenceless: many of our brethren believe, though as we think incorrectly, that one church has a right to receive a member excluded from another church, when she thinks the action unjust. Had Mr. Graves acted in this manner, he would have been sustained by a principle held by many Baptists; and then the issues would have been made on the question of his guilt or innocence. The church would then have been compelled to defend her course, by proving that Mr. Graves was guilty, and that his exclusion consequently was just and right. But in the present attitude of Mr. Graves, this question does not properly arise. He denied the right of the church to try him: his partizans sustained him in his denial: hence the only question now before the churches for their decision, is whether a church has a right to investigate a charge of immoral conduct brought against one of its members. On this question there can be no doubt.

Baptist Churches have ever held that this right is unquestionable. We have never known a previous instance in which it has been doubted.

Mr. Graves' own witnesses sustain the action of the church in proceeding with the trial.

Mr. Graves made great efforts to obtain authority by which to sustain the course he adopted. He wrote a letter to Rev. Dr. Jeter, of Virginia, and claimed that his reply was an endorsement of his course. But Dr. Jeter, with all the facts before him, has expressed his conviction that the church acted scripturally, in deciding to proceed with the trial. He says:

The case, as I understand it, is this: Several members of the First Baptist Church, brought against Elder J. R. Graves, the charge of gross immorality. The specifications in support of the charge were offences against individuals, but these offences were publicly committed, and were, in part, designed, as it was alleged, to "distract and divide the church." *I think the church acted scripturally in entertaining the charge.* The offences charged were of a mixed character, partly personal and partly public—*and the church could not decide previously to investigation whether any of them belonged to the class referred to in Matthew* 18. *The right of the church to investigate the charge seem clear.* The investigation was due to Elder G. He was a minister in the church, had been solemnly charged with immorality, and a full examination of the charge was demanded for his vindication, if he was innocent. The trial was

due to the accusers. They had brought a charge, which if false, would recoil against themselves. The examination was due to the church herself. If the accused member was innocent, she was bound to defend him; if guilty, to reform or expel him. This course is, so far as I am informed, according to Baptist usage. It is also scriptural. "Now I beseech you, brethren, mark them which cause divisions and offences contrary to the doctrine which ye have learned; and avoid them." Of this very offence, and almost in the precise language, was Elder G. charged. If an individual guilty of this offence is to be marked and avoided, he surely should have a fair trial.

Rev. W. C. Buck was also written to by Mr. Graves. The principle laid down in his reply fully sustains the action of the Church. Speaking of public offences—such as violate divine precept, he says:

"All that is necessary in such cases in order to church action, is adequate proof of the action by the accused party; for if the action is proved upon him, his guilt is determined by the unerring divine precept. The act is sin, because it is transgression of a divine law, and if the proof of the party's guilt is sufficient to establish the fact upon him, he may be arraigned before the church without attending to the forms laid down in the 18th of Matthew."

The principle is here laid down, that in cases of public offences, the accused member may be arraigned immediately before the church. But no man can be condemned as guilty before a trial. The church cannot know before a trial whether "the proof is sufficient to establish the fact upon him." This is the object of a trial. The church cannot know before investigation, any thing of the conduct of a member. Who is to judge whether the conduct is such as to require that it should come immediately before the church? It cannot be the church, for this would require the church to pre-judge the case before trial. We can place no interpretation of Bro. Buck's language, which does not result in absurdity, except by supposing him to place the power of judging of the course proper to be pursued, in the members who are cognizant of the offender's conduct. If a church member sees a brother engaging in conduct which he deems a public offence, it is his right, his duty to report it to the church. Thi is what we understand Bro. Buck to teach; and this is what brethren did in the case of J. R. Graves. They had seen him for years assailing brethren, and railing, with opprobrious epithets upon every brother whom he supposed to stand in his way; they had witnessed his slanders and revilings, and had borne with them: they now beheld him attempting, without cause, to ruin their pastor, whose usefulness was the property of the church, and whose influence tended to the advancement of the cause of truth: they beheld him endeavoring to accomplish his ruin by libel and reviling, unfounded, and unmerited; to accomplish this end, they beheld him sowing strife between him and an influential minister in the church; they beheld him even attempting to distract the church itself, in order to effect his purpose. They deemed this, and properly, conduct constituting a public sin; they thought the exhibition of such passions and feelings dishonoring to the religion of Jesus; they knew it was contrary to the precepts of Him whose religion is love; they believed that the time for forbearance was past: they charged him before the church with his immoral and unchristian conduct. How should the church have acted? She could know nothing of the matter without inquiry; she had no right to institute such inquiry except in the presence of the accused; her only course was to summon him before her, and proceed to investigate the charge. This, in cases of public offence, brother Buck says was her duty. The church could know

nothing of the character of the offence without investigation; she could only take cognizance of the charge. The charge specified immoral and unchristian conduct: it was the duty of the church to investigate the charge.

Mr. Graves also wrote to Rev. Dr. Baker for his opinion, who in reply sent an extract from the Periodical Library, in which, he had, some years ago, given his views on this subject. Mr. Graves claims this extract also as an endorsement of his course. But the views presented by Dr. Baker in that work sustain the course of the First Church most fully, and unequivocally condemn the course of Mr. Graves. He says:

"There is one error prevalent in many of our churches, which should be corrected. We allude to the opinion, that a violation of the rule [18th chapter of Matthew] by the aggrieved, in bringing an offender before the church before he has pursued the course prescribed by the Saviour, relieves the church from the obligation to deal with the individual thus arraigned before them.

"Were the effects of personal difficulties confined to the parties more immediately implicated, such an opinion might be maintained with some degree of plausibility; but it should be remembered, that every offence committed by one individual against another, is an offence committed against the whole body, and against the cause, for the furtherance of which that body was incorporated. While, therefore, the irregularity in the course pursued by the person aggrieved might subject him to censure, and preclude from him the right to complain of the church, should she neglect to act upon the case, it is certain, that such neglect could not fail to afford just cause of complaint to others.

On this subject we lay down two distinct propositions, and request our readers to test their correctness by the touchstone of God's word. If they be found correct, let them be carried out into the acts of their respective churches, to the honor of God and to the good of His cause.

I. A church is bound to take cognizance of every manifest violation by its members, of any of the laws of Christ's kingdom, with which it becomes acquainted, whether the information of such violation is communicated in a regular order or not.

The reasons for this rule are obvious. The church is required to set the seal of her disapprobation on every transgression of the law of God. Her obligation to do this is not made to depend, in the slightest degree upon the means by which she arrives at a knowledge of the transgression; for the character of an offence is not affected, in the least, by the manner in which it is made known. The magistrate is as much bound to have a band of robbers arrested, when information of their acts of robbery is communicated by one of their own number, who has turned a traitor, as when it is communicated by an honest and orderly citizen. And so is the church as much bound to notice offences committed, when she receives her intelligence through one who is an offender, as when she receives it through the most harmless and exemplary of her members. So long as she is ignorant of the offences committed by her members, she is not chargeable with them; but the moment she is made acquainted with them, if she fails to adopt measures for calling the offenders to account, and for preventing the recurrence of like offences in future, she virtually sanctions those offences, bids the offenders God speed, becomes a partaker of their evil deeds, and renders herself amenable both to God and man. [See Ps. l., 18—1 Tim. v., 22—2 John xi.]

"A. charges B. with trespasses committed against himself, before he pursues the course prescribed by the Saviour. B., in return, charges A. *with a violation of the rule* to which we have referred, and *pleads*, perhaps, *that the church has no right to deal with him*, as the case was informally brought before it. *Such a plea is evidently invalid.*"

"We have frequently known churches to dismiss cases indefinitely, because there was some irregularity in the manner in which they were brought before them. In other instances, the cases are dismissed until the accuser brings his accusation in the prescribed form. These generally prove, too, *final* dismissions. If we are right in the views expressed in the preceding part of this article, *that church is wrong which pursues either of these courses.* "He that knoweth to do good and doeth it not, to him it is sin." By a parity of reasoning, that church which knows

of the existence of an evil in it, and neglects to correct it promptly, must be viewed as guilty before God.

"When an individual is charged with criminal conduct, if *instead* of *replying* to the *charges brought against* HIM, he *endeavors to criminate others*, he *affords strong presumptive evidence of his own guilt.* He acts upon the same principle with the thief, who when the officer of justice and the mob are at his heels, raises the cry, and cries lovdest of all, "Stop thief! stop thief!" His principle is to evade justice by diverting attention from himself to some other individual. To prevent your plucking the beam out of his own eye, he would set you to picking at the mote in his brother's eye."

From this it is seen that even if the offence of Mr. Graves had been only of a personal, instead of a public character, still Dr. Baker, Mr. Graves' witness, condemns his course. If the offences of Mr. Graves were admitted to be personal only, and if Dr. Howell had himself brought the matter before the church, neither of which is true, still, according to Dr. Baker, the Church had not only the right, but duty required it to investigate the case. Yet, Mr. Graves maintains that Dr. Baker sustains him in his assertion, that the church, by that act, unchurched herself. The course of Mr. Graves is condemned even by the statements of his own witnesses.

We may sum up the issue between the Church and Mr. Graves in syllogistic form as follows:

I. A church has the right try members charged with public sins.

II. J. R. Graves was charged before the church with public sins. Therefore:

The church had a right to try J. R. Graves.

I. A CHURCH HAS THE RIGHT TO TRY MEMBERS CHARGED WITH PUBLIC SINS.

Is it necessary to bring forward arguments to sustain this principle?

It has never, to our knowledge, been questioned by Baptists. This right, this *duty*, follows from the fact that the church is the conservator of the morals of its members.

The churches may learn their duty in this regard, both from the practice and the teachings of the Apostles.

1. THEIR PRACTICE.—Wherever the conduct of an individual was contrary to the will of God, we find that the apostles and early christians invariably rebuked the offender publicly. Annanias and Sapphira received the public rebuke of Peter for their falsehood, and the justice of God at once visited the offenders with the punishment of their crime. When, some time after, Peter preached the gospel to the Gentiles, in the persons of Cornelius and his household, the brethren at Jerusalem, supposing that he had violated the divine will, publicly reproved him. The apostle made no complaint of the manner in which the reproof was administered, but only denied its justice. He showed that he had not violated the will of God, but had acted in direct obedience to it. Again, when the conduct of Peter at Antioch was to be blamed, Paul reproved him in the presence of them all. His conduct was a cause of stumbling to the brethren, and the correction, to be beneficial, ought necessarily to be as public as the offence. We learn from the third epistle of John, that Diotrephes "prated against" the apostle "with malicious words." The apostle threatens that, upon his arrival, he "will remember his deeds;" strongly intimating that the proper punishment by exclusion from the church, would be inflicted. That this is the course indicated in his threat, becomes evident from the teachings of the Apostles.

2. THEIR TEACHINGS.—Paul enjoins the Romans to avoid those who caused divisions among them, "Now I beseech you brethren mark them which cause divisions and offences, contrary to the doctrine which ye have learn-

ed; and avoid them." Romans xvi: 17. These brethren were not to be "avoided" until their guilt had been established by an impartial trial. The injunction then, must be interpreted to command a trial of those charged with such offences, and the avoidance of the guilty. In the fifth chapter of First Corinthians, the church is commanded "to put away that wicked person," who had been guilty of public sin. And among the characters so to be dealt with, are mentioned the fornicator, the covetous, the idolator, the RAILER, the drunkard, and the extortioner. To the Church at Thessalonica the command is given: "Now we command you brethren, that ye withdraw from every brother that walketh disorderly"—2nd Thessolonians iii: 6. In giving Timothy directions for his conduct in the churches, Paul imposes the command: "If any man teach otherwise, and consent not to wholsome words, even the words of our Lord Jesus Christ, and to the doctrine which is according to godliness; he is proud, knowing nothing, but doting about questions and strifes of words, whereof cometh envy, strife, *railings*, evil surmisings, perverse disputings of of men of corrupt minds, and destitute of the truth, supposing that gain is godliness: from such withdraw thyself."—First Timothy vi: 3–5.

These injunctions were not to be obeyed without a trial of those accused; hence all such commands are based on the right of the church to try persons charged with such offences. To this effect is the injunction of Paul to Timothy: "Them that sin rebuke before all, that others also may fear."

These teachings of divine inspiration in reference to public offenders, abundantly sustain the principle stated, that a church has a right to try members charged with public sins.

This principle of church polity is universally held among Baptists; and, as has been seen, is sustained by brethren Jeter, Baker, and Buck, as indeed it is by all who have written on this subject.

II. J. R. GRAVES WAS CHARGED BEFORE THE CHURCH WITH PUBLIC SINS.

To sustain this statement we need only refer to the indictment, which charges J. R. Graves with "grossly immoral and unchristian conduct." *Hence the conclusion necessarily follows that* THE CHURCH HAD A RIGHT TO TRY J. R. GRAVES.

It is established now, that in the issue made by Mr. Graves, betwcen him and the church, the course of the church was entirely scriptural. The principles of justicc, and thc teachings of inspiration alike sustain its right to proceed with the trial.

THE OFFENCES OF J. R. GRAVES WARRANTED HIS EXCLUSION FROM THE CHURCH.

We procced to the investigation of a point, which it is important that our brethren abroad should be able to decide properly. The church proceeded with the trial, and after a calm hearing of the evidence, pronounced J. R. Graves guilty of the offencos charged and acting under a sense of duty, solemnly excluded him from her fellowship. The right of the church to proceed with the trial, upon his refusing to appear, is unquestionable. Otherwise every member charged with immoral conduct before his church, might estop its proceedings in his case, by refusing to appear before it.

To prove the scriptural propriety of thc final decision of the church we submit the following propositions:

PROP. I. THE PROOF PRESENTED BEFORE THE CHURCH ESTABLISHES THE GUILT OF J. R. GRAVES IN THE OFFENCES CHARGED.

The *offence first* charged against J. R. Graves, is having endeavored to force the Pastor of the First Baptist Church into collision with A. C. Dayton, with intent to

bring upon him reproach and injury, and to destroy his character and influence in the South West. Did he endeavor to produce the collision? When we see an individual intermeddling between two neighbors, and continually telling one that the other has injured him, and falsely asserting that he has assailed his character and motives, we affirm, unhesitatingly, that he is seeking to stir up strife between them, and to set them at variance. So, if Mr. Graves seeks, by unfounded assertions, to make the impression that Dr. Howell was endeavoring to injure Elder Dayton, that he had assailed his character and conduct, we may be assured that he desired to stir up strife between them. Did he not do this? It is in proof that he did this and more. He alleges that Dr. Howell is engaged with others in a systematic attempt to cripple down Elder Dayton; he declares that Dr. Howell attaints Dr. Dayton for malfeasance in office; that he casts suspicion upon him; that he is envious of the good which Elder Dayton has done, and of the love and attention which he enjoys, and desires to make him pay the penalty of his superiority and usefulness; he repeats that Dr. Howell casts a most *unkind* and *cruel* SUSPICION upon Bro. Dayton; that he (Howell) knew it [his letter] would wound his feelings, and *designedly* sought to *wound* him, and to *mar his peace;* that he knew it would, and consequently *intended* to *excite* SUSPICION against him; that he knew of a paragraph which had been penned by a member of the Bible Board, and he, the President of the Board reproduced it to *wound* and *cast suspicion* on Elder Dayton. This unfounded tirade of reiterations could tend to but one end, viz: to destroy harmony, and to cause dislike on the part of Elder Dayton, and thus promote strife between him and his Pastor. That these allegations are all unfounded, may be seen by turning to the speech of Dr. Howell, where the matter is fully explained. Why should Mr. Graves seek, by placing false glosses upon the language of Dr. Howell, to stir up strife between him and Elder Dayton? Elder Dayton was possessed of great popularity; Mr. Graves was, as he now states, offended with Dr. Howell: take these facts in connection with the *animus* shown by Mr. Graves—the implacable hostility with which he assailed his pastor, and we cannot escape the conviction, that he sought to force this collision, as a means of casting odium upon Dr. Howell, and thus destroy his character and influence.

The second offence with which Mr Graves is charged, is attempting to distract and divide the church, by means of a conflict between the Pastor and four of the Deacons. He maintains that the Pastor made "a most *gross* and *shocking* ATTACK upon the men:" that he questioned their ability, and "offered them *the* GROSSEST INSULT;" and he himself stands forth as their defender against the alleged *furious* ASSAULTS of their pastor. He reiterates again and again that his attack was *unprecedented;* shocking to the feelings of all present in the convention; that it was *astonishing* and *painful;* and he felt in duty bound to *defend* them. And though no reflection, not the slightest, had been made against them, he asks "what can be the CHARGE against these men." "Does he mean that those *four Deacons* of *his own church* as well as the three other brethren nominated are so IGNORANT, or UNPRINCIPLED &c.;" and twits them with the declaration that an *explanation* would be demanded from another man." Again he asserts, growing more and more reckless in each paper, that the Pastor cast upon them a "*cruel suspicion,*" offered them a "GROSS INSULT" and maintains as if against his assertion that they are "not to be CORRUPTED *by bribe* or by favor", and declares that their pastor has offered them the "GROSSEST INSULT" in "supposing they

could be used in this way." He intimates that their pastor charged them with being "incompetent" or "unsafe to be trusted," and continually heralds himself as their champion against the "GROSSEST INSULT offered to them." What could be the purpose of all this tissue of unfounded allegation? It was done without an object, merely to indulge his spleen, by railing upon his Pastor, or the purpose was, (and Mr. Graves never acts without a purpose) to stir up strife between the Deacons of the church and its Pastor, and, by thus producing a conflict, to distract and divide the Church. The object is manifest: it could be no other.

The third offence charged against Mr. Graves is writing, and publishing sundry libels against his pastor.

Before proceeding further, let us briefly examine the course of Dr. Howell, to see what was the occasion for all this vituperation, misrepresentation, and abuse.

It is well known that in the fall of 1859, a Sunday School Convention was called to meet at Nashville. It was supposed that the Convention would take into consideration the best means of promoting the cause of Sunday Schools, and of rousing our brethren to the importance of the work. But the committee appointed, reported in favor of making the Convention permanent, with a Board at Nashville, for the purpose of furnishing Sunday School *books*. This organization, so unexpectedly proposed, was opposed by Dr. Howell in a speech on the floor of the Convention. In that speech he advised Mr. Graves, as his Pastor, and his friend, not to insist on the organization, lest his enemies might impute to him interested motives; at the same time earnestly disclaiming all intention to impute such motives himself. He made no attack upon Mr. Graves, nor on the proposed Board, but opposed the organization solely on general principles of expediency, and propriety. Those who know the frankness of Dr. Howell's nature, the entire absence of concealment which characterizes him, will at once recognize in this speech, that open manliness and freedom from guile, which conscious of no evil, imputes no evil to others. Elder Pendleton admits that he "made no such charge," but that "he publicly disavowed the imputation of improper motives to G. [Graves."] And states that "he [Pendleton] understood" that "this was the end of the matter. "The disavowal was received as satisfactory." Then we perceive that, thus far, neither Mr. Graves, nor any one else had any ground for complaint. The only further action taken by Dr. Howell in this matter, consists of a letter to the *Christain Index*, in which he states his objections to the proposed organization. But it contained no personal reflection, or imputation on any one. Elder Pendleton is pleased to term it a "strange" letter, but he does not call it an offensive one. Its strangeness consisted, perhaps, in his daring to oppose a cherished scheme of Mr. Graves, in a calm dignified manner. This was his only offence; the only occasion offered for this violent strain of defamation and misrepresentation.

Mr. Graves begins his revilings with much caution. He tests public sentiment and will not venture too far at first. Where there was so little ground for calumny, he did not dare to proceed at once to the length he desired. Public sentiment must be prepared to view the victim with distrust and enmity, before the sacrifice is offered. His misrepresentations must be allowed to leaven the public mind; meantime, he contents himself with endeavoring to destroy all respect for Dr. Howell, by exhibiting him in a contemptible light. He represents him as either knowing and approving the design for which the Convention was called, and afterward turning

against it; or as advocating in the Association a design of which he knew nothing, or which he abhorred. He alleges, that knowing all about the design, which was not concealed from him, he first advocated, and then opposed it.

But six weeks afterward, this caution is discarded. The grapnels which he has thrown out have caught firm hold of the prejudices of his adherents; it remains to work them deeper. The mask is now laid aside. He now represents "Brother Howell," "whom he has never sought to injure," "for whom he has ever entertained the *kind*EST feelings," as a "HEROD," "*by whom* this glorious enterprise was sought to be *slain at its birth*;" compares him to "the *Rabbies*" of our Saviour's time—to "the *Chief* Priests and Scribes," in "opposing the noblest efforts for the advancement of truth;" he asserts that he (Howell) has "stirred up the strife;" that like the Ephesian coppersmith, he "stirred up the mob," by crying great is Diana of the Ephesians, [The Southern Baptist Publication Society.] He charges him with the despicable feeling of ENVY *of Dr. Dayton;* alleges that he reproduced the articles of another, impugning his [Dayton's] motives, and blackening his character. He publishes with approval, communications of his correspondents, in which the unfounded allegations are made, that he is assailing time-honored principles of the Baptists; that envy of the influence and popularity of the Tennessee Baptist and South-Western Publishing House actuate him; that he is a *milk and water* Baptist, and assailed men for their Landmark principles; that he, with others, is engaged in a work of proscription, is endeavoring to counteract the influence of Mr. Graves, and to destroy his business; that he wronged Mr. Graves, cast suspicion on his innocence, and traduced his reputation; that he traduced Dayton, and caricatured Graves; that he is *mercenary;* that he has sought to crush out, and choke down certain men and their enterprises; it is alleged (with a sneer) that he is furiously attacking Old Landmarkers; that he has made a war on men, instead of opposing measures: that he is no true Baptist; that his Index letter was unchristian; that his position is suicidal to our churches and children; and that he is *seeking popularity from the* PEDOES, *by striking down his friends* laboring for the advancement of truth." Will it be believed, in future time, when prejudice has subsided, and the voice of reason is heard, that all these allegations are based on one short speech, and one short paragraph, neither of which furnishes the slightest ground for any such assaults. They are without provocation or occasion. History will award Mr. Graves credit for his unparalleled ingenuity, but will wonder at his success. All these allegations have been shown in the trial, to be groundless. That Mr. Graves is guilty of libellous railing, there cannot be a doubt.

The fourth count in the charge against J. R. Graves, specifies his having attacked, slandered, and abused brethren throughout the country.

It was in evidence before the church, to sustain this count, that he railed upon Rev. Dr. Fuller, of Baltimore, as vain and ambitious; as acting in his own pulpit in a ridiculous manner; as deporting himself with marked discourtesy toward brethren; as making a disorganizing speech; as indulging in personalities against his brethren; as apeing the Catholic priesthood; as having a Pharisaical spirit; and praying hypocritically to be seen of men.

He defamed Jno. L. Waller, as an open communionist, and declared that his paper was spiked with Cambellite gold.

It was in evidence before the Church that he did great injustice to the Walnut

Street Baptist Church at Louisville, publishing anonymous articles in his paper containing palpable falsehoods against it; and not only refused repeatedly to publish its vindication, but admitted again and again anonymous articles repeating the defamations, and deepening the injury. It was in evidence that he assailed Rev. Dr. Everts in an article of unparalleled bitterness; charging him in a tissue of unheard of revilings, with "insane malignity;" with "appealing to the basest feelings," to "gratify his insatiate thirst of revenge;" he reviled him, as preparing "in the study, where he made his book of prayers," a "malignant aspersion," an "appeal to every fiend in the nature" of Baptists, "a morsal sweet to his palate," "composed of falsehood" and "imbued with intensest malignity." He reviles him as "skulking behind the body of the dead to strike a living brother through the heart." He reviles him as one, who with an "unsanctified nature," "can do any thing that he imagines the cloak and profession of religion will cover." It is impossible to convey a idea of the spirit of the article; let the reader turn to the evidence. And all this was occasioned by a temperate resolution, vindicating the memory of the deceased from his aspersions.

It was in evidence, before the church, that J. R. Graves uttered against Rev. Dr. Duncan, of New Orleans, numerous falsehoods and misrepresentations; that though requested, he would make no correction, nor, though it was repeatedly sought, would he allow him to vindicate himself through the columns of the Tennessee Baptist; he would not submit the matter to reference, though it was proposed by Bro. Duncan, nor accede to any amicable proposition whatever.

He assailed Rev. Mr. Tustin, of Charleston, as a secret open communionist, as a Pedo Baptist in disguise, and though the charge was earnestly denied, and it was proved that the evidence upon which the charge was made did not apply to him, yet it never was retracted, but is repeated to this day.

Rev. Dr. Dawson has been falsely defamed in his paper, as an open communionist, in an article over the signature of "*Probus*," who is supposed to be Mr. Graves himself.

It was also in evidence that Mr. Graves had traduced the Bible Board. The Secretary of the Bible Board had entered on a policy, which would have rendered the Board tributary to the Southwestern Publishing House. The issues of that House were sought to be distributed in connection with, and even in lieu of Bibles. A committee being appointed to investigate and report, did report to the effect that the instructions of the Bible Board, restricted its operations to the distribution of the scriptures, and the publications of our Publication Societies. Mr. Graves became highly indignant; assailed the members of the Board as envious of the superiority of Elder Dayton; asserted that the Board attempted to break him down; that the members of the Board sought to use it, and even destroy it, for the purpose of injuring the land mark members of it, and especially Elder Dayton; that they sought to drive him from the Board; and in the height of his spleen at being foiled in the effort to render the Board tributary to him, he charges the Board with the design, which could have been suggested only by his own intention, to render itself tributary to the Southern Baptist Publication Society; and suggests that the whole alleged attack on the Secretary was intended to ruin the Board (!?) for the purpose of accomplishing this purpose; intimating that the Board meditated suicide, that its remains might be conveyed to Charleston! He was himself endeavoring to ruin it; broadside after broadside was poured upon it;

and yet he affected to say that the Board was meditating its own destruction. And in the uncontrollable fury of his spleen, he applies to his brethren the epithet "DOGS" —"not a SINGLE DOG OF THEM ALL would as much as wag his tongue"

The fifth offence charged against Mr. Graves is falsehood. Nine instances of falsehood were taken from one and the same paper. It is needless to specify these. It is painful to state that they were all established upon him by incontrovertible testimony, and his guilt is enhanced from their having been uttered with a view to excite prejudice against the church.

The guilt of Mr. Graves of the offences charged, is undoubted. Even his own friends do not attempt to deny it, or to defend him. Nor does he himself make any defence. His friends admit that he has done very wrong; but they seem to think that his offences are not of such a character as to justify church discipline. We proceed then to complete our demonstration, and offer the following:

PROPOSITION II.

THE OFFENCES OF WHICH J. R. GRAVES HAS BEEN PROVED TO BE GUILTY, ARE OF SUCH A CHARACTER, AS TO WARRANT AND DEMAND HIS EXPULSION FROM THE CHURCH

The first offence of which he has been proven guilty, is having endeavored to force the Pastor of the First Baptist Church into collision with A. C. Dayton, with intent to bring upon him reproach and injury, and to destroy him character and influence in the Southwest. This, as has been shown, has been fully established against him. In deciding the moral quality of an action, it is the safest test to bring it to the touchstone of the divine word. Man may err; his passions, his prejudices, or his affections may lead him astray. But the divine law knows no partiality, it is uninfluenced by human emotion; its index points unswervingly to the dial of Eternal Right.

This offence is two-fold. 1. Laboring to stir up strife and contention. 2. The intention to injure the Pastor of the First Church.

It is needless to trouble ourself to prov that strife or contention is sinful. Its sinfulness follows from the fact that it is inconsistent with the love which the scriptures enjoin. It is plainly denounced ir the divine word. "He loveth transgression that loveth strife." Prov. xvii. 19: "Wherefore have we fasted say they, and thou seest not. . . . Behold ye fast for strife and to smite with the fist of wickedness." Is. lviii, 3, 4. "Let us walk honestly as in the day; . . . not in strife and envying." Rom. viii, 14. "Now the works of the flesh are manifest, which are these, adultery, fornication, uncleanness, lasciviousness, idolatry, witchcraft, hatred, variance, emulations, wrath, STRIFE, &c." Gal. v. 19, 20. It is unnecessary to multiply quotations on this point.

From the sinfulness of strife, the truth of our proposition necessarily follows, that LABORING TO STIR UP STRIFE IS SINFUL.

Without further argument on this point, we appeal to the unerring teachings of Revelation. This sin is frequently and solemnly denounced. We select some passages at random. "A froward man soweth strife." Prob. xvi, 28. "There are that raise up strife and contention, therefore, the law is slacked, and judgment doth never go forth." Hab. 1, 3, 5. "These six things doth the Lord hate; yea seven are an abomination unto him; a proud look, a lying tongue, hands that shed innocent blood, an heart that deviseth wicked imaginations, feet that be swift in running to mischief, a false witness that speaketh lies, and *he that* SOWETH DISCORD AMONG BRETHREN."

Prov. vi, 15—18. "A wicked man walketh with a froward mouth: * * * Frowardness is in his heart, he deviseth mischief continually; *he* SOWETH DISCORD. *Therefore* shall his calamity come suddenly; suddenly shall he be broken without remedy." Prov. vi, 12, 14, 15.

While laboring to stir up strife is itself sinful, the design with which, in this case, it was done, intensifies the guilt. The minister of Christ is his servant, called to labor for him in a public position. His labor, his influence belong to Him who has called him, and whose servant he is. When called to the pastoral office, his character, and influence for good become, in a peculiar manner, the property of the Church. All his powers are dedicated to the work, and belong to the Church, and to the head of the Church. Any injury to his character and usefulness, is an injury to the Church, to the cause of religion, and of Christ. Any injury which disqualifies a general for the discharge of his duties, or which incapacitates a statesman for his office, is an injury to the State; so it is an injury to the cause of Christ, to destroy the influence and usefulness of a Christian Pastor. Again: as it it contumacious to the State, to attempt to offer injury to a judge, or to a legal officer, so it is contumely to the King of Zion, to assail and injure a brother laboring in an official capacity in His Kingdom. The influence of Dr. Howell has been powerful for good. The destruction of that influence would be, to that extent, prejudicial to the cause of Zion. We can only measure the consequence, by imagining every man of equal influence to be stricken down. Though the light of one star should not be missed from heaven, yet the sacrilegious hand that would dash it from its sphere, is as audacious in rebellion, as though it had attempted to darken every constellation in the firmament.

This attempt to stir up strife, and that between fellow-servants in a common ministry, who above all should love one another, and to destroy the influence of one by that of the other, when both, as star beams blend and mingle, should converge and combine, is deeply sinful. It is as if he would set the heavens at war; and if Mr. Graves had been guilty of no other offence, this one alone, so offensive in the sight of heaven, should receive the condemnation of the Church.

The SECOND OFFENCE of which J. R. Graves has been proven to be guilty, is an attempt to distract and divide the church, by means of a conflict between the Pastor and four of the Deacons.

The attempt at schism here proven was afterwards consummated. Two of the four Deacons, whom he labored so assiduously to throw into conflict with the Pastor, were influenced by him, and have sustained him in his schismatical course.

None will deny, that an attempt at schism is an offence demanding the highest seal of disapprobation, which the church can impose. "Now I beseech you brethren, by the name of our Lord Jesus Christ, that ye all speak the same thing, and that there be no divisions among you; but that ye be perfectly joined together in the same mind, and in the same judgment. 1 Cor. i: 10. Now I beseech you brethren, *mark them which cause* DIVISIONS, and offences contrary to the doctrine which ye have learned; AND AVOID THEM. For they that are such, serve not our Lord Jesus Christ, but their own belly, and by good words, and fair speeches, deceive the hearts of the simple. Roms. xvi: 17, 18.

Andrew Fuller, than whose opinions, none are entitled to greater respect, in commenting on this passage almost fifty years ago, says:

"The characters to be *avoided* appear to be persons whose object it is to set up a party in the church, of which they may be

the heads or leaders—a kind of religious demagogues. Such men are found, at one time or other, in most societies: and in some cases, the peace of the churches has been invaded by strangers, who are not of their own community. Let the "brethren" have their eye upon such men. "Mark them." Trace their conduct, and you will soon discover their motives. Stand aloof from them, and "avoid" striking in with their dividing measures. *In case of their being members, the church collectively considered ought, no doubt,* TO PUT AWAY FROM AMONGST THEM SUCH PERSONS: but, as every collective body is composed of individuals, if those individuals suffer themselves to be drawn away, the church is necessarily thrown into confusion, and rendered incapable of a prompt, unanimous, and decided conduct. Let members of churches therefore beware how they listen to the insinuations of those, who would entice them to join their party. Men of this stamp are described by the apostle, and therefore may be known, particularly by three things: First, By their doctrine: it is *contrary to that which has been learned of Christ.* Secondly, By their selfish pursuits: "they serve not our Lord Jesus Christ, but their own bellies." Thirdly, By their insinuating, whining pretences of affectionate regard towards their partizans: "by good words, and fair speeches, they deceive the hearts of the simple."

The applicability of these remarks to the present case will be seen by all. The sinfulness of him who would rend asunder the body of Christ, and destroy its unity, need not be enlarged on.

The sinful character of stirring up strife between the Pastor and Deacons, from which this end would result, has already been established. No one will deny that introducing dissension into the heart of the church, by stirring up baleful passions, and thus causing a conflict between the Pastor and Deacons, is a sin justifying exclusion.

The THIRD OFFENCE, of which J. R. Graves has been proven guilty, is uttering and publishing in his paper sundry libels against his pastor. The character of these libels has been seen. They are such acts as are designated in the scripture by the terms "railing" and "reviling." No other term will designate the application to a brother of such epithets as a "Herod;" the likening him to the Chief Priests and Scribes; to the raisers of the mob at Ephesus; and accusing of being actuated by envy to ruin a brother &c., &c.

The moral character of these acts is clearly designated with the scriptures. "Know ye not that the unrighteous shall not inherit the kingdom of God? Be not deceived: neither fornicators, nor idolaters, nor adulterers, nor effeminate, nor abusers of themselves with mankind, nor thieves, nor covetous, nor drunkards, nor RAILERS, nor extortioners shall inherit the kingdom of God." First Corinthians vi: 9–10. "But now I have written unto you *not to keep company* if any man that is called a brother be a fornicator, or covetous, or an idolater, or a RAILER, or a drunkard, or an extortioner; with such an one, *no, not to eat.*" . . . . therefore PUT AWAY from among you that wicked person. The Apostle here prescribes the course to be adopted with such characters. But it may be urged in extenuation, that a portion of these railing accusations are by correspondents. Some of them were the private letters of correspondents, reflecting the views imbibed from Mr. Graves. They were deceived by him; they did not intend to injure Dr. Howell, but only to express sympathy for Mr. Graves. He seized upon those letters without the knowledge of the writers, and used them to accomplish his purpose. Is the murderer less guilty because he seizes the axe of another, which lies at his door, to accomplish his fell design? The use made of these letters was the act of Mr. Graves. It was his act alone; and upon him rests the responsibility. The writings of Mr. Graves would sustain us in going further even than this. In the *Tennessee Baptist,* December 25th, 1858, he says:

"No man has a right to defame another, or to stab his character with another secretly, any more than he has to a less offensive action in sight of heaven, i. e., assassinate him; and the man who will allow himself to be made a confidant in a plan or attempt to murder or assault a man's body, or burns his houses, or injure his property, by that confidence, is, in the eye of the law accessary to the deed, and [is] to all intents and purposes, *guilty of the act contemplated.*"

Mr. Graves was not merely the confidant of those correspondents, but seized their communications, as weapons for the accomplishment of his purpose.

This attempt to ruin a brother evinces the rankling of unholy feelings, and such conduct imperatively claims the action of the church, and, unless repented of, demands exclusion. To contend that it is personal only, is a vain subterfuge. So is assault and battery personal injury, but who will contend that repeated assault and battery would not justify exclusion from the church! The injury, here, is deeper, by so much as injury to the reputation is more serious, than trivial injuries to the person. The reputation is dearer, injury to it is more lasting, and more severe. Rev. Dr. Baker classes public personal injury, as by assault and battery, with sins which justify exclusion from the church. In the instance under consideration, the injury is more public, inflicts a deeper wound, and is more disgraceful to the cause of Christ. Every consideration combines in forcing us to the conclusion, that this offence was of such a character as fully justified the exclusion of J. R. Graves from the church.

The FOURTH OFFENCE of which J. R. Graves has been proven guilty, is attacking, slandering, and abusing brethren throughout the country. The railing on Dr. Fuller, of Baltimore; the attacks on the memory of Waller; the injuries inflicted on the Walnut Street Church; the revilings of Dr. Everts, of Louisville; the wrongs inflicted by false allegations upon Dr. Duncan, of New Orleans; the persistent and unprovoked assaults upon Rev. Mr. Tustin, of Charleston; the slander and defamation of Dr. Dawson; the attacks upon, and revilings of the members of the Bible Board, taken singly, and in the aggregate, constitute offences of such character of reviling, and wanton public injury, as have already been proved to be public sins, warranting and demanding the highest seal of reprobation.

The FIFTH OFFENCE of which J R. Graves has been proven guilty, is wilful and deliberate falsehood. On the moral character of this offence it is unnecessary to dwell. Public sentiment coincides with revelation, in fixing upon it the brand of universal condemnation.

COROLLARIES.

In conclusion: I. It has been shown that J. R. Graves was charged with offences, which justified the church in proceeding with the trial, according to the universal customs of justice, and the rules of the scriptures. The witnesses brought foward by Mr. Graves to sustain his course, by their testimony condemn him, and sustain the church.

Corollary 1. The protest of Mr. Graves falls to the ground, and his affecting to refuse to be tried is highly schismatical, and is wholly unsustained by reason or scripture.

Corollary 2. Those persons who affected to withdraw with Mr. Graves are schismatics, whose course was highly sinful, and unless repented of, will compel their exclusion from the church.

Corollary 3. As no man can take advantage of his own wrong, the pretended withdrawal of Mr. Graves could not effect the right of the church to proceed with the trial, and the church acted in a proper and scriptural manner in proceeding with the trial in his absence.

II. It has been shown that the evidence before the church fully proved the guilt of J. R. Graves of the offences charged.

III. It has been shown that the offences

proven upon him are, each and all, of such a character as fully warrant and demand his exclusion from the church.

Corollary 1. The Church in excluding J. R. Graves acted under the authority of Christ, and her decision is binding by his authority and decree.

Corollary 2. J. R. Graves is "as a heathen man and a publican." "Whatsoever ye shall bind on earth shall be bound in heaven, and whatsoever ye shall loose on earth shall be loosed in heaven." Matt. xviii: 18.

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